every adversity, she looked to the future with strength and resolution. Even with a fractured hip at the age of 84, she held on with a tenacity which was characteristic of her entire life. She lived a year and a half more, but never once did she abandon her courage, her faith in her friends, nor her belief that, if we but do the right, all else in life will turn out satisfactorily.

SENATE

FRIDAY, DECEMBER 20, 1963

(Legislative day of Wednesday, December 18, 1963)

The Senate met at 9 o'clock a.m. on the expiration of the recess, and was called to order by the Acting President pro tempore, Hon. LEE METCALF, a Senator from the State of Montana.

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

Our Father, God, as we go our differing ways across the Nation to the place hallowed as home, may the Christmas cradle bring to us a penitent revelation that in our smart sophistication and towering self-sufficiency, we have so often mistaken partial knowledge for final truth, and cleverness for wisdom, and so, alas, have sometimes trusted in a wisdom that is not wise. Now as the sands of this year of peril, toil, and pain run low, Thy public servants of the commonwealth, who carry out their stewardship within these walls as they are entrusted with the ministry of government, with burdened and sober hearts prepare to write the final word of an epic chapter of our national history whose last pages are bordered with the symbols of mourning. Frail human hands have carried the precious ark of our heritage through a threatened peace and through the encircling gloom; yet we dare believe that it is still Thy hand that guides and guards.

We ask the benediction of Thy grace upon all wise and good decisions, and beseech Thee to overrule all that denies Thy will for us and all mankind.

We ask it in the ever-blessed name of the Supreme Person of whom the holy prophets declared—"And the government shall be upon His shoulder." Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, December 19, 1963, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 9499) making appropriations for foreign aid and related agencies for the fiscal year ending June 30, 1964, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. PASSMAN, Mr. GARY, Mr. NATCHER, Mr. RHODES of Arizona, and Mr. FORD were appointed managers on the part of the House at the conference.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that there be a brief morning hour, with statements limited to 3 minutes.

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

EXECUTIVE SESSION

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

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

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

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

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

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

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

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

LEGISLATIVE SESSION

On motion of Mr. MANSFIELD, the Senate resumed the consideration of legislative business.

TRANSACTION OF ROUTINE BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is in order, under the 3-minute limitation which has been ordered.

PROPOSED SUPPLEMENTAL APPROPRIATION, TO PAY A CLAIM AGAINST THE UNITED STATES (S. DOC. NO. 50)

The ACTING PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting a proposed supplemental appropriation, in the amount of $120,000, to pay a claim against the United States, which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. PASTORE, from the Committee on Appropriations, with an amendment:

H.J. Res. 875. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1964, for certain activities of the Department of Health, Education, and Welfare related to mental retardation, and for other purposes (Rept. No. 814).

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. LONG of Louisiana:

S. 2409. A bill declaring a portion of Bayou Black and Bayou Terrebonne, La., nonnavigable waterways of the United States; to the Committee on Public Works.

By Mr. BEALL:

S. 2410. A bill for the relief of Erich Hoffinger; to the Committee on the Judiciary.

By Mr. McCARTHY (for himself, Mr. HUMPHREY, Mr. McNAMARA, Mr. PROXMIRE, Mr. HART, and Mr. NELSON):

S. 2411. A bill to authorize the Secretary of the Interior to make payments to reestablish the purchasing power of American fishermen suffering temporary economic dislocation; to the Committee on Commerce.

By Mr. PELL (for himself, Mr. PASTORE, Mr. JAVITS, and Mr. KEATING):

S.J. Res. 141. Joint resolution authorizing the issuance of a gold medal to the Touro Synagogue at Newport, R.I.; to the Committee on Banking and Currency.

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

By Mr. PELL:

S.J. Res. 142. Joint resolution proposing an amendment to the Constitution of the United States to extend the franchise accorded the District of Columbia for the purposes of the election of President and Vice President so as to include the right of the District to have one vote in the House of Representatives, or two votes in the Senate, as the case may be, whenever the election of the President shall devolve upon the House of Representatives or the election of the Vice President shall devolve upon the Senate; to the Committee on the Judiciary.

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

RESOLUTION

TO CONTINUE AUTHORITY OF ACTING PRESIDENT PRO TEMPORE UNTIL NEXT SESSION OF CONGRESS

Mr. MANSFIELD submitted a resolution (S. Res. 238) continuing the authority of the Acting President pro

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tempore until the next session of the Congress, which was considered and unanimously agreed to, as follows:

Resolved, That the appointment of the Senator from Montana, Mr. METCALF, as Acting President pro tempore be continued until the meeting of the second regular session of the Eighty-eighth Congress.

ISSUANCE OF A GOLD MEDAL TO THE TOURO SYNAGOGUE AT NEWPORT, R.I.

Mr. PELL. Mr. President, on behalf of myself and my three colleagues, the senior Senator from Rhode Island [Mr. PASTORE] and both Senators from New York [Mr. JAVITS and Mr. KEATING], I introduce, for appropriate reference, a joint resolution to authorize the issuance of a gold commemorative medal to the Touro Synagogue at my home city of Newport, R.I.

This historic synagogue celebrates, this December, its 200th anniversary. Its significance to our Nation is set forth in this resolution.

I am most happy to have Senator PASTORE as a cosponsor of the resolution, and I am indeed grateful for the cosponsorship of Senators JAVITS and KEATING, for New York's Congregation Shearith Israel gave generous assistance to the Newport congregation in the early days of its history.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 141) authorizing the issuance of a gold medal to the Touro Synagogue at Newport, R.I., introduced by Mr. PELL (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

A PROPOSED CONSTITUTIONAL AMENDMENT TO PROVIDE THE DISTRICT OF COLUMBIA WITH REPRESENTATION IN THE EVENT THE PRESIDENTIAL ELECTION IS THROWN INTO THE HOUSE OF REPRESENTATIVES

Mr. PELL. Mr. President, a short while ago, one of my constituents, Mr. Albert Choquette, Jr., of Woonsocket, R.I., wrote to me regarding a question that was raised in the American history class he teaches in the Woonsocket Senior High School. Mr. Choquette's letter raises an important question of constitutional law that should be resolved.

That question, Mr. President, is whether the District of Columbia retains the franchise granted it by the 23d amendment in the event the presidential election is thrown into the House of Representatives. Although the question was briefly alluded to in the debate in the House when that body considered and passed the 23d amendment, it was deemed expedient at the time not to complicate that amendment.

The question is still before us. We have granted the District residents the franchise in voting for the President and Vice President in national elections. Yet through legislative oversight, these same voters lose their franchise if either election is thrown into the House or the Senate because a candidate lacks a clear majority of the electoral college vote.

Equity demands action in this case. There is no other course if we are to have any consistency in the rights granted under our Constitution. As a result, I am introducing a Senate joint resolution which amends the Constitution to provide the District with one vote if the presidential election goes to the House, and two votes should the vice-presidential election go to the Senate. At this point, I ask unanimous consent that my resolution be printed in full in the RECORD.

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

The joint resolution (S.J. Res. 142) proposing an amendment to the Constitution of the United States to extend the franchise accorded the District of Columbia for the purposes of the election of President and Vice President so as to include the right of the District to have one vote in the House of Representatives, or two votes in the Senate, as the case may be, whenever the election of the President shall devolve upon the House of Representatives or the election of the Vice President shall devolve upon the Senate, introduced by Mr. PELL, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution only if ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"Article —

"SECTION 1. In electing the President or the Vice President in those cases when such an election shall devolve upon the House of Representatives or the Senate, respectively, the District constituting the seat of Government of the United States shall be entitled to have one vote in the House of Representatives, or two votes in the Senate, as the case may be, to be cast for the person to be named by the electors appointed by the District."

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation".

Mr. PELL. Mr. President, this resolution is very brief and uncomplicated. It merely grants the District the right to vote in the event of certain contingencies. It does not go into the mechanical procedure as to how the vote or votes shall be cast. This, I believe, should be determined by Congress and I have so provided in section 2 of my resolution, which grants to Congress the power to enforce this article by appropriate legislation.

I wish to make it perfectly clear at this time, that my resolution in no way relates to the question of home rule for the District. That is a matter for Congress to legislate. This resolution does not provide for representation in either the House or the Senate. That, too, is a matter for Congress to determine.

In considering this proposed amendment, Congress may wish to grant authority to the electors chosen by the District in a national election to submit certified ballots of their vote to the highest officer of the respective Houses when the election of the President and Vice President, under the 12th amendment, devolves upon Congress.

Mr. President, the presidential election is almost upon us. It would be a gross injustice to the voters of the District if they should become disenfranchised in the possible eventuality I have discussed. It is my hope, therefore, that Congress will act promptly on this resolution so that the States will have an opportunity to ratify it before the next general election.

At this point I ask unanimous consent that Mr. Choquette's letter be printed in the RECORD.

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

WOONSOCKET, R.I.,
October 28, 1963.

Hon. CLAIBORNE PELL,
U.S. Senate, Washington, D.C.

DEAR SENATOR PELL: An interesting question regarding the 23d amendment to the U.S. Constitution has come to my attention—a question to which I have been able to find no satisfactory answer.

As I understand it, the District of Columbia is now entitled to three electoral votes. If, however, the electoral college fails to give a majority of its votes to any of the presidential candidates, the election would be turned over to the House of Representatives whose Members would elect the President from among the persons having the highest number of electoral votes not exceeding three on the list of those voted for as President (amendment No. 12).

Am I to presume then, that since the District of Columbia has no representation in the House that it would lose its right to vote for President should the election be turned over to the Representatives as it did in 1801 and 1825?

If this is the case, it would seem that the 23d amendment should be clarified in order to guarantee the rights of the citizens of the District of Columbia should a situation as that outlined above occur.

I am interested in hearing your thoughts on the subject.

Very sincerely yours,
ALBERT CHOQUETTE, Jr.

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

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

By Mr. YOUNG of North Dakota:

Speech delivered by Senator COOPER at the 45th annual convention of the American Legion, Department of Kentucky, in Louisville, Ky., on July 12, 1963, upon the occasion of the presentation to him of the distinguished service award of the American Legion.

TRIBUTE BY SENATOR ENGLE TO SENATOR MANSFIELD

Mr. PASTORE. Mr. President, last evening a group of Democratic Senators met for the purpose of paying their tribute to our very distinguished majority leader, the senior Senator from Montana, MIKE MANSFIELD. It was a deserved tribute at a very appropriate time, and was done for the purpose of affording the Members on this side of the aisle an *opportunity* to show their esteem, affection, respect, and admiration for our distinguished majority leader, for the excellent job he has done in leading us during this session of Congress.

Preparatory to that meeting, I was handed a note from the distinguished Senator from California [Mr. ENGLE], who asked me to read it at the meeting—which I neglected to do. At this time, I wish to read it into the RECORD, as follows:

> I regret that I cannot be with you as you gather to salute our able majority leader, MIKE MANSFIELD. My respect and affection go out to him, as always. I look forward to being back among the "troops" next session.
>
> CLAIR.

I did not have an opportunity to read the note at the meeting yesterday. It is in his own handwriting, and I thought I should read it in the Chamber this morning.

SOYBEAN FUTURES

Mr. MILLER. Mr. President, yesterday, I brought to the attention of the Senate—as appears on page 25126 of the CONGRESSIONAL RECORD—the activity of the soybean futures market, particularly the May futures market; and I pointed out that the maximum permissible limit of rise in the price had occurred all day long yesterday, as a result of the release, the afternoon before, of a report by the Crop Reporting Board of the U.S. Department of Agriculture, showing that there would be considerably lower production *for 1963* than had previously been forecast.

I pointed out that the estimates by the Crop Reporting Board had been inexcusably optimistic; and I stated that I was writing to the Department of Agriculture, to request an explanation for this, and also that I was writing to the chairman of the Senate Committee on Agriculture and Forestry, the distinguished Senator from Louisiana [Mr. ELLENDER], a letter in which I suggested that the committee make an investigation, to ascertain whether any impropriety was connected with the gross overestimate of soybean production and the profiteering which occurred on yesterday's futures market.

Mr. President, in today's issue of the Wall Street Journal there appears an article entitled "Soybean Futures Jump Daily Limit of 10 Cents a Bushel Due to Prospects of Supply Shortage." I believe this article is an interesting follow-up of the comments I made yesterday; and I ask unanimous consent that the article be printed in the RECORD.

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

SOYBEAN FUTURES JUMP DAILY LIMIT OF 10 CENTS A BUSHEL DUE TO PROSPECTS OF SUPPLY SHORTAGE

Prices for soybean futures soared 10 cents a bushel, the daily permissible limit, on a rush of buy orders sparked by prospects of a shortage of supplies.

Heavy buying of vegetable oils, soybean meal and other grains followed the soybean action.

Brokers said "orders for millions of bushels" of soybeans remained unfilled at the closing bell because of a lack of sell orders.

Soybean meal futures rose $5 a ton, the daily limit for this market. But for the December 1963 contract, on which trading expired yesterday and no daily limit applied because it was a spot month, the price at one time was up $6.35 a ton and ended up $4.65 from Wednesday's close.

Soybean oil futures rose 1¼ cents a pound and cottonseed oil futures as much as five-eighths cent.

Other big gains included as much as 4½ cents for wheat, before profit taking pared this to 2 cents at the close, and 3¼ cents a bushel for rye.

EARLY WAVE OF BUY ORDERS

The wave of buy orders for soybean futures came at the start of trading and prices for most contracts were immediately bid up the daily limit. As the session progressed more buy orders poured in and the remaining contracts were bid up the daily limit. Thereafter, the unfilled buy orders continued to accumulate.

The heavy demand for soybean contracts followed news that the Government reduced its November estimate on U.S. production of the commodity.

The Government report placed this year's crop production at 701.5 million bushels, down 16.7 million bushels from the November 1 estimate. This was about 15 million bushels below previous trade expectations and it appears to be below Government estimated requirements of 732 million bushels for domestic and export needs. The carryover on October 1, the start of the crop year, was 15 million bushels.

One trader said the report was a "surprise, a real surprise." A soybean processor said the report was greeted by most of the industry "with shocked silence."

Brokers on the Board of Trade floor said most business in soybean futures was conducted at the top limits on the opening and for a short time later. Private observers said the day's business in soybean futures didn't exceed 10 million bushels, the lowest in more than a year.

There were practically no offers after prices for all contracts rose the 10-cent limit as sellers expected additional price rises. The estimated volume of trading in soybean futures contrasted sharply to the record of about 169 million bushels traded as recently as November 19. After the limit advance, brokers estimated that unfilled volume rose to between 25 and 35 million bushels.

CASH SOYBEAN PRICE

The cash price for soybeans yesterday rose about 14 cents a bushel to around $2.90 in the Chicago market, and some traders thought the quote might continue to rise above $3.

Dealers said, however, that sharply higher prices for soybeans could cut export and domestic needs, especially if buyers become sensitive to higher costs. This would trim anticipated requirements.

An industry spokesman said processor returns on soybean oil and meal from soybeans are below average. In the first quarter of the crop year, returns to processors are usually the most favorable, because supplies are large just after harvest. This year, however, the anticipated close supply-demand balance has kept prices contraseasonally high. One leading processor said his operations are at about 80 percent of capacity, when usually his firm is "going full blast at this time of year." He added that the processing industry generally is operating on a reduced basis.

Other soybean industry sources said huge supplies of vegetable oils in the United States and expectations of record production of world fats and oils in 1964 may keep a rein on soybean prices here.

Rising soybean prices also may attract more farmers to plant larger acreages to soybeans next spring, some trades said, but this wouldn't help in the current situation if demand remains heavy, because the new crop wouldn't become available until next October.

Soybean crushings and exports have been large becaues of huge foreign demand for U.S. soybean oil. Western European countries and Japan have been large buyers of U.S. soybean meal to feed their growing livestock populations.

One leading broker commenting on the soybean situation said, "The bulls appear to be in charge and likely will remain so until we run into some disappointing crush and export figures." Another said the market probably will stay strong until next spring.

A processor asserted that it was too early for the industry to assess the sharply lowered production estimate. But he said, "You can be sure they're all doing some quick refiguring."

Soybeans are the source of soybean oil and meal. The oil is used in the manufacture of margarine, shortening, salad and cooking oils. The meal is a high protein livestock feed.

INDIA'S ECONOMIC GROWTH

Mr. MILLER. Mr. President, there appears in today's issue of the Wall Street Journal an interesting article entitled "India's Economic Growth." The article was written by Mr. B. R. Shenoy. In connection with the consideration yesterday of the foreign aid appropriation bill and some of the comments with respect to the way the foreign aid program has been administered, I believe this article merits attention. It points out that, unfortunately, much of the foreign aid extended to India fails to aid the people who really need aid. I ask unanimous consent that the article be printed in the RECORD.

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

INDIA'S ECONOMIC GROWTH—FOR MANY REASONS, IT FAILS TO AID MOST OF THE PEOPLE

(By B. R. Shenoy)

The prime reason for promoting economic growth is to provide continuing improvement in the living standard of the masses of the people.

This is true in any country, but the objective acquires special urgency in India and other so-called underdeveloped lands. In these countries large proportions of the people are ill-clad and undernourished, and the prosperous segment of the population is no more than a thin upper crust.

In these countries, too, the United States since World War II has contributed many billions in economic aid to help produce

sound economic growth. India has received more American aid than any other country. What has been the result?

In India, national income has grown by 54 percent during the past 12 years, a rate of increase that compares favorably with the gains of many industrialized nations. But it cannot be inferred from this statistic that the level of living of the Indian people has gone up correspondingly.

India's population has been rising at an annual rate of 2.2 percent. This alters materially the picture of swift economic progress painted by the figures on total national income. The rise in per capita income in the past 12 years was only 1.3 percent a year.

Even this slow rate of gain exaggerates the improvement in popular well-being. To produce a dependable picture of the status of the individual Indian, the statistics on national income, and thus on per capita income, need to be adjusted for the ballast they contain.

NONCONSUMER OUTPUT LARGE

First, part of the increase in these statistics represents unduly large output of nonconsumer goods, manufactured at the expense of consumption goods. More than 60 percent of domestic savings and foreign aid now is appropriated for government-run undertakings, and the output of this "public sector" is almost wholly nonconsumer goods. Part of the investment in the economy's private sector also is channeled away from consumer goods.

This presents the strange spectacle of a nation of hungry and poorly clad people busily turning out iron and steel, heavy chemicals and the like, when the masses so sorely need more food, clothes and fertilizers, better seed, agricultural implements and similar items.

Second, part of the increase in national income results from creation of excess production capacity and undue addition to inventories. In terms of popular well-being, this is wasteful. The excess capacity largely reflects government planning.

On the average, for example, only about 71 percent of the nation's irrigation capacity now is in use. The percentage has been showing little change; 2 years ago the figure was 70 percent. In 40 industries, excess capacity averages between 40 percent and 50 percent.

As for the undue additions to inventories, these are inevitable in an economy beset by inflation. As prices rise, any businessman naturally tends to build up his stocks. Except for brief breaks, India has had inflation for more than two decades, so inventory buildups have been the rule.

UPPER-INCOME GROUPS BENEFIT

Third, the past decade has seen substantial shifts of income which have benefited the small upper-income group at the expense of the masses. These shifts have resulted from inflation, from controls and from the undue expansion of the public sector of the economy.

Inflation obviously has cut into the buying power of those whose income rises very little or not at all, and this includes the majority of the population. Traders and industrialists, on the other hand, have often been in a position to profit handsomely from rising prices.

Economic controls, by creating monopolies and near-monopolies, often bring profits to the traders and industrialists they protect. Controls also provide incentives for black-market operators. And the monopoly and black-market gains ultimately are collected from the consumer through higher prices. So the more prosperous segment of the population, again, benefits at the expense of the bulk of the population.

From this standpoint, perhaps the worst controls are those over imports. Import licenses fetch enormous prices in the market, varying from 30 to 500 percent of their face value, depending on the commodity involved. If the average price runs about 75 percent, a not illogical assumption, the illicit gains from sales of import licenses run close to $1 billion a year.

These illegal gains are shared by government functionaries, contact men and the recipients of the licenses—all likely to be among the nation's more prosperous group. When the Indian consumer purchases an imported commodity, or a commodity produced from imported raw materials, he contributes from his meager income to the affluence of those who trade in these licenses.

IMPACT OF CORRUPTION

Import licenses are not the only source of opportunities for graft and corruption; the rapid growth of public sector investment has presented another. R. L. Garner, former president of the International Finance Corp., an affiliate of the World Bank, has observed: "There is no denying that in many countries graft and corruption in public office lay a heavy tribute on resources which should go into development. The less developed countries have no monopoly on public corruption. But its toll is more destructive in the poorer countries than in the richer societies."

Graft and corruption unquestionably have converted into private incomes a portion of the funds supposedly invested in India's state enterprises. These illicit benefits, like all the other income shifts, have tended to widen the gap between the prosperous Indians and the rest of the population.

This suggests that the economic position of the masses is at best hardly improving at all. Such a conclusion is supported by statistics on consumption of such basic needs as food and cloth.

Per capita consumption of food grains averaged 15.8 ounces per day in 1958, below the usual jail ration of 16 ounces, the army ration of 19 ounces and the current economic plan's target of 18 ounces. Since then, the average has fluctuated downward. Between 1956 and 1960 the annual per capita use of cloth fell from 14.7 metres to 13.9 metres.

Further evidence of the plight of the bulk of the population shows up in the wage rates of industrial and agricultural workers. Although the output of each industrial worker has risen by two and a half times in the past decade, wage rates on the average have gone up by only 10 percent. Agricultural wages have actually declined. In the context of steadily rising prices, both groups of workers, in real terms, have done even less well. Moreover, unemployment has increased.

Much publicity has been given to the fact that the life expectancy of the Indian people has risen to about 47.5 years, compared with 24 years a generation ago. It has been argued that this improvement reflects better health, better food and better living conditions.

Does this improvement conflict with indications that living standards of most Indians really have not improved very much? Not necessarily. Even if living standards remained entirely unchanged, better public health measures would increase life expectancy. In India, the credit for the extended average lifespan should go mostly to such things as DDT and public health programs in general. In due course, naturally, better public health conditions are likely to add to worker productivity.

Those who believe that the Indian economy is forging ahead should take a closer look at the economic indicators. The estimate of national income issued last month shows a decline from the previous year for the second year in a row. There is a very real danger that the topsy-turvy industrial structure that is being built will come crashing down when its main prop, foreign aid, is removed. Given the current mood of the U.S. Congress, that day could arrive sooner than some people seem to think.

IMPORTATIONS OF LIVESTOCK AND MEAT

Mr. CURTIS. Mr. President, although the leaders of national farm organizations who met with President Johnson this week are poles apart in their views on many issues of interest to America's farmers, I was pleased to note that news reports indicate they are in accord on one matter of major importance.

That is the question of importations of livestock and/or meat. Mr. President, I and numerous of my colleagues have spoken out on this situation, calling for an all-out effort to curb these imports which are threatening a large segment of the Nation's agricultural community and are adversely affecting our general economy.

Many Nebraskans have written to me, are still writing, in support of my position. I include at this point in the RECORD excerpts from a few representative letters I have received on this subject.

A rancher in north central Nebraska told me:

We do not want Federal aid for the cattle business. What we do want is a higher tariff so that the top quality beef we have does not have to go down to 4 to 6 cents a pound to compete with imported beef. We want equality. We think tariffs should be raised substantially on all beef, living or dead, from all foreign countries.

The Nebraska Stock Growers Association sent me a copy of that association's resolution directed to the President of the United States. That resolution said, among other things:

We do hereby resolve that realistic quotas be imposed on foreign beef below the 11 percent now being imported so that our domestic production may operate on a sound and competitive basis within the framework of our free enterprise system. The entire livestock industry, and those dependent upon it, are suffering from increasing supplies of foreign beef and beef products being brought into this country.

The operator of an alfalfa dehydration plant in southern Nebraska wrote this to me:

I experienced marketing fat heifers at Kansas City this week. One feeder experienced a $3 cut in 2-week period on same kind of cattle. If this prevails we are going to mushroom a depression condition in agriculture in the Midwest.

A man who raises Herefords said:

I have been very proud and pleased with your efforts and that of the entire Nebraska delegation, to raise the tariff and establish quotas on the imports of beef and beef products into this country. I had a long visit with Oscar Evans of Louisiana, who was one of the American cattlemen who toured Australia and New Zealand recently. It is his conviction after this tour that we should direct most of our effort toward getting quotas of foreign beef set up. He feels that

Australia has the potential to produce much more than the flood of foreign beef that is now coming into this country. Mr. Evans also feels that we should refer to the imports as foreign beef, since to many people imports of a product are quite often superior to the American product. He feels we should only refer to foreign beef instead of imported beef.

A banker, who has daily contact with farmers and is keenly aware of their financial dilemma, had this to say:

Like many other people in this part of the country I am very much concerned with the declining fat-cattle market and the effect that the large beef imports are having on it. I know you are too, and are aware of the large losses many cattle feeders are taking and have been taking for the past 10 or 11 months. Having been in the cattle grazing and feeding business all of my adult life, I have been through many ups and downs and am well aware that one cannot expect to make money all of the time in this business any more than in any other business. However I am very much concerned about the future, unless the beef imports are curbed, at least to some extent.

Directors of a county feeders association in eastern Nebraska sent me a wire which said "We produce the best meat in the world. This week cattle dropped $2 per hundred in Omaha reflecting a trend which has continued for over a year." Then they asked my help "in the control of imported beef by higher tariffs and lower quotas. The economy of the American feeders desperately requires such action."

The president of another county feeders association wrote:

It is our belief that imports of 1 billion pounds (1963), roughly the equivalent to 2,500,000 live cattle do exert considerable pressure on the price of beef in the marketplace. In the absence of this staggering tonnage, the retailer would most certainly have to reach into the lower grades of fed cattle for hamburger and sausage stock. The U.S. beef industry is set up in an environment that includes high capital investment, an artificial price structure on feed grains, and certain fixed costs, not the least of which are taxes, transportation, and labor. These circumstances combine to make it necessary to have more realistic tariff levels. In a fast moving world economy, it seems necessary that import tariffs be subject to constant review. The present import tariff of 3 cents per pound on boned beef and veal is a feeble gesture toward protection for the livestock industry. We cannot continue to appropriate billions of dollars for foreign aid, without some consideration for the profit potential of our domestic industries.

A Kansas woman, whose husband and father run cattle in southern Nebraska, told me:

The beef industry has never wanted any special favors from the Government but the fact remains that we cannot compete with foreign imports of the present volume.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess, subject to the call of the Chair.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate (at 9 o'clock and 6 minutes a.m.) took a recess, subject to the call of the Chair.

At 9 o'clock and 59 minutes a.m., the Senate reassembled, and was called to order by the Presiding Officer (Mr. AIKEN in the chair).

EXEMPTION FROM INDUCTION FOR SOLE SURVIVING SON OF A DECEASED VETERAN

Mr. MANSFIELD. Mr. President, in accordance with the unanimous-consent agreement, I move that the Senate resume the consideration of House bill 2664, and that it be stated and laid before the Senate.

The motion was agreed to; and the Senate resumed the consideration of the bill (H.R. 2664) to amend section 6(o) of the Universal Military Training and Service Act to provide an exemption from induction for the sole surviving son of a family whose father died as a result of military service.

Mr. MANSFIELD. Mr. President, I understand that the Senate is proceeding under a time limitation. Nevertheless I ask unanimous consent that at this time, I may suggest the absence of a quorum, and immediately thereafter may withdraw it, so that all Senators may be notified that the Senate is in session.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

The question is on agreeing to the second committee amendment, which was reconsidered. It will be stated.

The LEGISLATIVE CLERK. On page 1, beginning in line 6, it is proposed to strike out the following:

(1) by inserting the words "the father or" after the word "Where"; and

(2) by inserting the words "unless he volunteers for induction" after the words "of this title."

And to insert in lieu thereof:

The sole surviving son of a family shall not be inducted under the terms of this title unless he volunteers for induction (1) where one or more sons or daughters of such family were killed in action or died in line of duty while serving in the Armed Forces of the United States, or subsequently died as a result of injuries received or disease incurred during such service, or (2) except during the period of a war or national emergency declared by the Congress subsequent to the date of the amendment of this subsection, where the father of such family was killed in action or died in line of duty while serving in the Armed Forces of the United States, or subsequently died as a result of injuries received or disease incurred during such service.

Mr. KEATING. Mr. President, I rise to a point of order: That amendment has been adopted.

The ACTING PRESIDENT pro tempore. Thereafter, the action of the Senate in adopting the amendment was reconsidered.

Mr. KEATING. That is correct.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the second committee amendment.

Mr. RUSSELL. Mr. President, will the majority leader yield approximately 5 minutes to me? I wish to make a brief statement about this matter.

Mr. MANSFIELD. I yield 5 minutes to the Senator from Georgia.

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized for 5 minutes.

Mr. RUSSELL. Mr. President, this bill was reported from the Committee on Armed Services.

After the bill reached the committee, the committee decided that it was not wise to continue increasing the exemptions from all military service under all conditions for large categories of our citizens, without knowing how many persons would thereby be affected.

Therefore, the committee voted to amend the bill, in order to permit exemption from induction to be granted to all those in this particular class—to the sole surviving son of a family whose father had died as a result of military service, and thereby added a new category to those already in existence for exemption from induction for any military service or training.

The amendment did not affect the exemption in times of peace or in times of limited war, but provided that upon the determination by Congress by joint resolution or the determination by the President that the Nation was confronted with an unusual emergency, this exemption should not apply.

On reflection, it is evident that the same rule should be applied to all of those in the exempt categories.

Therefore, I had decided—before the measure was called up—to move that the bill be recommitted to the Committee on Armed Services, in order that it might examine all categories of exemptions and apply the same rule to all of them, and then report the bill to the Senate; and at that time, if the Senate is not satisfied with the rule recommended by the Committee on Armed Services, the Senate can change it and make it apply to all classes of those exempted from military service under any conditions.

I recognize the feeling—and I share it—of those who believe that certain categories should be exempted from military service; and under ordinary circumstances they should be exempted.

But, Mr. President, in this day of great revolutions in weapons, when all the people of a nation stand in danger of being wiped out in a matter of minutes, it seemed to me that the responsibility to preserve the Nation should come above even any humanitarian feeling which we might have in regard to sparing an individual who remained in a certain category.

Therefore, I requested the majority leader to have the bill recommitted to the Armed Services Committee, so that it may collect and examine all the statutes which provide such exemptions, and report to the Senate a bill to settle this matter.

In my opinion, it would be a mistake to increase the categories of those who are exempt under any circumstances from rendering military service to the Nation, for if the day were to come when

a nuclear holocaust occurred—and God forbid that one ever would—every person in this land—all men, women, and children, all of any physical condition, including the halt and the lame—would have some responsibility to our land.

Therefore, Mr. President, I move that the bill be recommitted to the Committee on Armed Services, in order that it may study all of these exemptions and may deal with all of them on the same basis.

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

Mr. RUSSELL. I am glad to yield to the Senator from New York; and in doing so, I wish to thank him for the spirit of fairness he manifested at the time when the bill was considered the other day. I did not know the bill was then before the Senate; there was some error—either in my office or elsewhere, with the result that I did not know that the bill had been considered and the amendment had been agreed to and the bill in its original form was about to be passed. At that point the Senator from New York moved that the action of the Senate in agreeing to the amendment be reconsidered, and that the bill be returned to the calendar, and be considered by the Senate on a subsequent day.

Mr. President, I now yield to the Senator from New York.

Mr. KEATING. Mr. President, I am grateful to the Senator from Georgia. I knew he was opposed to the proposal to reinstate the language voted by the House.

The ACTING PRESIDENT pro tempore. Does the Senator from New York yield himself time?

Mr. KEATING. Yes, Mr. President; I yield myself 5 minutes—chiefly for the purpose of having a colloquy with the distinguished Senator from Georgia.

The ACTING PRESIDENT pro tempore. The Senator from New York is recognized for 5 minutes.

Mr. KEATING. Mr. President, I am sympathetic with the desire of the Senator from Georgia and the committee to deal with all exemptions equally. I can see the merit of that arrangement.

The proposal to exempt the sole surviving son of a family of which the father was killed in the military service of the country seems to me eminently sound. Such an exemption is not now in the law, but I believe it should be written into the law; and I dislike to see this category placed in a secondary position, inasmuch as the same limitation about a national emergency does not apply to other exemptions.

I share the view of the Senator from Georgia as to the need to insure that we have sufficient manpower to support our national defense effort if we ever get into a nuclear holocaust or anything approaching one.

I understand from my conversations with the distinguished Senator from Georgia that it is his intention to have the Armed Services Committee and its staff go to work soon on this entire problem, in the hope of reporting, early in the next session, a bill which will deal with all these exemptions and will cause a uniform practice to be applied to all of them, so as either to provide a complete exemption or to provide that in all cases they shall be subject to this limitation. Is that correct?

Mr. RUSSELL. The Senator is correct. That is what I told the Senator yesterday in a private conversation. I undertook to express the same purpose on the floor today. I readily concede that if we are to have totally exempt categories, the sole surviving son of a father who lost his life in combat is as much entitled to exemption as would be the sole surviving brother or sister when other members of the family had been killed in combat. But I have some doubts as to the wisdom of continuing to increase these categories—and there are others which I cannot now recall—without knowing how many individuals would be involved. We have some estimates, but no data from the Selective Service System. No study has been made. I intend to invoke the assistance of the Selective Service System to assist the staff of the committee. At a reasonably early date in the next session of the Congress I hope to report a bill that will apply the same exemptions and the same responsibilities to all persons in various categories who are exempt by the law as it stands today, or who are proposed to be exempted by this measure or any other proposed legislation.

Mr. KEATING. I regret that the Senator from Georgia cannot be persuaded to allow the bill, in the House language, to pass, and then take up the problem about which he has spoken as a separate study.

Mr. RUSSELL. If the Senator will indulge me, he knows that from the parliamentary standpoint, there are certain material advantages in amending a bill that has already passed the other body. The process is greatly simplified. When the bill goes back, it does not have to go through committee process. There are a number of other reasons why it is much easier to handle it that way rather than to pass the bill and then start to work on new proposed legislation.

Mr. KEATING. Does the Senator feel that in the overall picture final legislation would be expedited if the pending House bill were used as a vehicle?

Mr. RUSSELL. I do. Otherwise, I would be glad to accede to the suggestion of the Senator from New York that the bill be passed and that we then begin de novo in the next session of Congress. I am convinced that from the standpoint of principle, the proposed legislation can be managed much more expeditiously and more surely enacted by amending the bill than by undertaking to deal with the question in new proposed legislation.

Mr. KEATING. The point involved is that those young men now being drafted will continue to be drafted, although their fathers were killed in service and they are the sole surviving sons. If the exemption is sound, it should be enacted into law. That is my reason for acting with all possible haste to amend the law to provide them with this exemption in what we generally term a period of peaceful coexistence.

Mr. RUSSELL. The argument the Senator makes is cogent and has much validity, but there is little possibility that any number of men will be drafted, or at least inducted through the application of the Selective Service System at this time. Only about 5,000 men a month are being inducted. We are getting a great many more than that in the services under the prod of the Selective Service, which assigns men to the armed services. Many young men who have to do military service desire to select their own branch of the service. They enlist and offer themselves for induction, acquire a commission from the military schools, and the Reserve Officers Training Schools throughout the system. Considering that situation, it is highly improbable that more than one could possibly be drafted, and while it would be an injustice to him, I am quite sure if the man affected brought the situation to the attention of his local draft board, they would be inclined to grant him a deferment for a period of months.

Mr. KEATING. I have a specific case in mind about which my office has been contacted. I would hope that the draft boards would defer the sole surviving sons, pending determination by Congress of the specific exemption which, hopefully, will be resolved one way or the other early in the next session.

Mr. RUSSELL. I subscribe to the hope that the Senator has just expressed. I trust that when any Selective Service Board in the country understood the conditions that apply to such a case as stated by the Senator, it would act. If the Board knew the case of an individual presented to them, having in mind the vast reservoir of men available for military service today, they would at least defer that individual for a period of 6 months so he would not be subjected to what could become a real injustice.

Mr. KEATING. I appreciate the courtesies of the Senator from Georgia. I appeal to him—and I am sure the plea will not fall on deaf ears—to have a bill before the Senate early next year.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion to recommit.

The motion to recommit the bill (H.R. 2664) was agreed to.

REVISION OF BOUNDARIES OF CARLSBAD CAVERNS NATIONAL PARK, N. MEX.

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1175) to revise the boundaries of the Carlsbad Caverns National Park in the State of New Mexico, and for other purposes, which was, to strike out all after the enacting clause and insert:

That Carlsbad Caverns National Park situated in the State of New Mexico shall consist of the following described lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

Township 24 south, range 23 east: south half section 35; section 36.

Township 24 south, range 24 east: sections 25 to 29, inclusive; sections 31 to 36, inclusive.

Township 24 south, range 25 east: south half southeast half south half section 21; southwest quarter southwest quarter section 26; sections 27 to 33, inclusive; west half

section 34; northwest quarter northeast quarter section 34.

Township 25 south, range 22 east: sections 24, 25, 35, and 36.

Township 25 south, range 23 east: sections 1 to 33, inclusive; northwest quarter section 34.

Township 5 south, range 24 east: north half section 1; west half section 2; northeast quarter section 2; sections 3 to 8 inclusive; west half section 9; northeast quarter section 9; northwest quarter section 10; west half section 17; northeast quarter section 17; section 18; northwest quarter section 19.

Township 25 south, range 25 east: north half section 5; north half section 6.

Township 26 south, range 22 east: north half section 1; west half southwest quarter section 1; section 2; section 11; west half west half section 12; northwest quarter section 14.

Township 26 south, range 23 east: northwest quarter section 6.

All of which contains 46,786.11 acres, more or less.

And the tract of land, including Rattlesnake Springs, lying in section 23, township 25 south, range 24 east, New Mexico principal meridian, acquired by the United States for water right purposes by warranty deed dated January 23, 1934, recorded in Eddy County, New Mexico, records in deedbook 64 on page 97, containing 79.87 acres, more or less.

SEC. 2. (a) For the purpose of acquiring the State-owned lands lying within the area described in section 1 of this Act, consisting of 2,721.12 acres, and described as follows:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

Township 24 south, range 23 east: section 36.

Township 24 south, range 24 east: section 32.

Township 24 south, range 25 east: section 32.

Township 25 south, range 24 east: lots 1, 2, 3, and 4, south half north half, southwest quarter section 2.

Township 26 south, range 22 east: south half section 2, the Secretary of the Interior may, subject to such terms, conditions, and reservations as may be necessary or are in the public interest, including the reservation of surface rights-of-way across Federal lands situated in township 25 south, range 24 east, New Mexico principal meridian, for the construction of roads and utility lines between park headquarters and Rattlesnake Springs, exchange the following described 2719.80 acres of public land of approximately equal value:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

Township 24 south, range 25 east: southeast quarter section 34.

Township 25 south, range 24 east: south half section 1; west half section 11; west half section 14; section 15; southeast quarter section 17.

Township 25 south, range 25 east: south half section 5; lot 6, northeast quarter southwest quarter, southeast quarter section 6.

Township 26 south, range 22 east: west half west half section 13; north half northeast quarter section 14.

(b) For the purpose of acquiring the private lands or interests in lands lying within the area described in section 1 of this Act, the Secretary of the Interior may, subject to such terms, conditions, and reservations as may be necessary, exchange on an approximately equal value basis any of the following described lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

Township 26 south, range 22 east: south east quarter section 9; south half, northeast quarter section 10.

Township 26 south, range 22 east: south half, south half northeast quarter section 14.

(c) Notwithstanding section 2(a) of this Act, when an exchange involves lands in section 32, township 24 south, range 24 east, New Mexico principal meridian, which the State of New Mexico has leased, the Secretary may compensate a lessee for the reasonable value of his improvements to the lands. Reasonable value shall be determined by the Secretary of the Interior by obtaining an impartial appraisal.

SEC. 3. The Secretary is authorized to convey to the State of New Mexico a right-of-way over lands between the western boundary of the southeast quarter of section 34, township 24 south, range 25 east, and the vicinity of the caverns for the use of the State in constructing a park-type road for public use thereon: *Provided*, That the State may construct a road which shall meet the general standards of National Park Service roads and shall agree to reconvey its interests in such lands and any improvements thereon, without cost to the United States, upon completion of such road. The location of the road shall be determined by the Secretary, after consultation with officials of the State of New Mexico.

SEC. 4. There are hereby authorized to be appropriated not more than $500 to carry out the purposes of this Act.

SEC. 5. Section 4 of the Act of May 14, 1930 (46 Stat. 279; 16 U.S.C. 407c), is repealed.

Mr. BIBLE. Mr. President, the amendment added by the House of Representatives would limit the amount of the appropriation that can be spent for the acquisition of real property under the act.

Frankly, I believe it is a good amendment. It is entirely agreeable to the sponsors of the measure. I therefore move that the Senate concur in the House amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to.

TRIBUTES TO SENATORS

Mr. KEATING addressed the chair.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senator from New York [Mr. KEATING] may be permitted to talk as long as he desires.

Mr. KEATING. I appreciate the consideration of the majority leader but I wish to take only 1 minute.

Mr. MANSFIELD. That would turn out to be the situation.

Mr. KEATING. I deeply appreciate the unfailing courtesy of the majority leader. This being that particular time of year when we say kind and courteous things—Christmas courtesies to colleagues it might be called—I should like to say some kind and courteous things about our able majority leader. At one time or another we have all blessed him for his kindness. It is typical of the way he conducts his leadership in the Chamber. I could, with entire sincerity, talk all morning about the virtues of our majority leader and his leadership in this body. However, I shall not do so. Did I hear a sigh of relief, sighed in unison by my senatorial colleagues? I was afraid there might be some slight objection on their part.

However, all of us appreciate his constant consideration of our requirements and the unfailing courtesy he exhibits to all of us, regardless of political affiliation, in the conduct of the business of the Senate.

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

Mr. KEATING. I yield.

Mr. AIKEN. I believe I can safely assure the Senator that there will be no objection on the part of any Senator, if he takes all the rest of the forenoon in extolling the virtues of the majority leader.

Mr. KEATING. I appreciate that, but the point is, that once I get started on that subject, I might get so carried away I would neglect the virtues of the distinguished Senator from Vermont who is the ranking minority Member of this body and who, like the majority leader, is always thoughtful and considerate of the needs of younger Senators—by that I mean Senators who have recently come to the Senate.

In fact, I should like to express the true spirit of Christmas by saying "all Senators are at all times thoughtful and considerate." If I had the time I should like to extoll the virtues of many other Senators on both sides of the aisle who have been helpful to all of us, even though we may have differed at times on this, that or the other question.

Mr. AIKEN. I must ask the Senator from New York to yield again since he is in such an "extolling" mood.

Mr. KEATING. I am glad to yield.

Mr. AIKEN. While I appreciate his remarks, I will say that any virtues I may possess may be due to the fact that the area that I represent is in such close proximity to the area represented by the Senator from New York.

Mr. KEATING. We are all grateful for that proximity. We all admire the stalwart and granite character of our friend, the Senator from Vermont.

Mr. AIKEN. Very well, I give up.

Mr. KEATING. Now if I may extol one more of the Senators present I would like to extol the virtues of the present occupant of the Chair [Mr. METCALF]. I served with him in the House. He, like our majority leader, also comes from the great State of Montana. I served with him on the Committee on Science and Astronautics in the House. He is an expert in that field. I enjoyed our association. I believe the enjoyment was mutual. I know we have always been good friends.

One of the great things about this body is the friendships we form here. These friendships are cemented by the senatorial kindness and consideration that I mentioned earlier. People who are not in public life and who are not in the Congress often fail to realize how firm these friendships can be.

Mr. President, that was not my main purpose in rising. Before I proceed to that subject I have been handed a note to the effect that today is the natal day of our colleague the Senator from Alabama [Mr. SPARKMAN], a former candidate for Vice President on the Democratic ticket—as I am sure Senators know, I hope soon to be able to say "a former candidate for Legislative Vice President" or "a former candidate for Executive Vice President." The Senator from Alabama would add dignity and

courtesy to either spot. I do not have to tell Senators how thoughtful he has been in his conduct of the affairs of the Senate and how helpful he has always been with the problems under consideration.

The same is true of the senior Senator from Oregon [Mr. MORSE], a great Senator; and of the Senator from Nevada [Mr. BIBLE], who has been most helpful in respect to the great Fire Island project. I deeply appreciate his promptness in starting hearings on that project, so that it is now pretty well settled among various groups and may be consummated.

Mr. MORSE. Will my very able friend the Senator from New York yield to me?

Mr. KEATING. First I must finish extolling the virtues of the Senator from Nevada for his helpfulness in the Fire Island project hearings. It is of great interest to the people of that area. It now has bipartisan support. I hope that there will be further hearings in the spring and that a bill will be reported in the next session to bring this fine seashore into being.

I will yield to the Senator from Oregon in a moment. In the course of my remarks I extolled the virtues of the majority leader, and then as each Senator came to the floor I extolled his virtues. I am glad to be able to say that this was not difficult for me to do, since there is a great deal more good than bad to be said for every Member of this body.

Mr. MORSE. There is always good along with the bad.

Mr. KEATING. I saw the Senator from Oregon come into the Chamber. I have had fine relationships with him on so many matters, having stood shoulder to shoulder on the things we believed in together and toe to toe against each other on things as to which we differed.

Mr. MORSE. I do not recall such times.

Mr. KEATING. There were a few votes on the foreign aid bill as to which the Senator and I were in disagreement.

Mr. MORSE. I know there were times when the Senator was in error and did not follow me, but usually he is right.

Mr. KEATING. I agree with the Senator to this extent: in many, many instances, particularly in the field of civil rights and human rights, we have fought shoulder to shoulder.

I shall yield the floor in a moment, and then the Senator may have all the time he would like to have. I rose only for a 1-minute remark about fashions, when I got into this colloquy.

Mr. BIBLE. Mr. President, will the Senator from New York yield so that I may thank him for his complimentary remarks?

Mr. KEATING. I am happy to yield.

Mr. BIBLE. I assure the Senator, as I have many times in the past, that the Fire Island Seashore bill will move forward early next year. I say, by way of compliment to the Senator from New York, that with respect to all the lakeshore, seashore, and national park proposals I have been privileged to handle in the past few years, this one involved the nearest approach to unanimity. I have written to the Senator and I have written to the proponents telling them that I thought theirs was one of the best-presented cases with which I have been privileged to deal.

It is fortunate that the Senator is making these remarks when our wonderful friend, the senior Senator from Oregon, is present. He, too, has a dunes proposal, which involves a few more problems than the New York seashore proposal. I am sure that men of good will will be able to work on that bill and bring it to fruition somewhere along the way.

Mr. KEATING. I appreciate the remarks by the Senator from Nevada. We have made a great effort to try to reach unanimity. I hope that effort will be helpful in expediting the legislation.

Mr. President, I see at my side the distinguished minority leader of this body. I cannot begin to extol his virtues the way I have those of other Senators, because his powers in that regard far exceed those of anyone else I know.

I have said some pleasant things about the majority leader [Mr. MANSFIELD], who asked unanimous consent to extend my time for as long as I wished to talk and who was very courteous and gracious in that regard; and about the elder statesman and senior Republican, the great Senator from the Granite State [Mr. AIKEN]. Now I wish to take this opportunity to express my gratitude for the many courtesies extended by our minority leader, who renders superlative service for the minority, not only in his capacity as minority leader, but also as chairman of the Subcommittee on Federal Charters, Holidays, and Celebrations of the Committee on the Judiciary, where he is so helpful to all of us in respect to our problems.

Mr. DIRKSEN. Mr. President, words fail me. I cannot adequately express my appreciation.

Mr. KEATING. Mr. President, if I have robbed our minority leader of words I have performed an unusual feat today.

PROMOTING U.S. FASHIONS

Mr. KEATING. Mr. President, now, if I may, I return to the subject for which I rose.

Several weeks ago I spoke on the need for increased Government-industry participation in fashion events overseas. Speaking simply as an observer and not as a Senator, I am well aware that fashions in the United States, for both men and women are among the most attractive in the world.

As a part of our export expansion drive, we must direct more attention and more effort to consumer goods. Few elements in the consumer market are more important and more appealing than clothes and fashions. I am very glad to know that the Department of Commerce and the Department of State have already shown interest in this possibility, and I hope that continued efforts in this direction, both public and private, will have some effect, both in persuading U.S. clothing firms to look around overseas and in encouraging our Government to lend all appropriate assistance to such efforts.

Mr. President, I ask unanimous consent to include, following my remarks in the RECORD, the text of letters I have received from the Department of State and the Department of Comemrce.

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

THE SECRETARY OF COMMERCE,
Washington, D.C., December 6, 1963.

Hon. KENNETH B. KEATING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KEATING: I am pleased to have your letter of November 13 because it affords me the opportunity to reaffirm my personal interest and the continued involvement of this Department in promoting exports of U.S. fashions and apparel. Your inquiry also has prompted a review of the efforts undertaken by the Department of Commerce in collaboration with U.S. industry to present to the world the latest and best in U.S. fashions, wearing apparel and accessory items.

Since 1957, U.S. Government/industry presentations included these kinds of products on no less than 17 occasions: Zagreb, 1957; Poznan, 1959; Milan, 1960; Zagreb, 1961; Tunis, 1961; Berlin, 1961; Helsinki, 1961; Mexico City, 1962; Buenos Aires, 1962; Izmir, 1962; Plovdiv, 1962; Damascus, 1962; Poznan, 1962; Limassol, 1963; Duesseldorf, 1963; Rio, 1963, and Tripoli, 1963.

Of these, 11 presentations featured fashion shows to dramatize the excellence of style and quality found in U.S. products.

The recent exhibit of U.S. apparel at the IGEDO Ladies' Outergarment Fair in Duesseldorf, West Germany, November 3–7, 1963, included participation by 34 American firms from seven States. By all accounts the show was a success, with sales estimated at $100,000, and predictions of additional sales approaching $900,000 by the end of 1964 as a direct result of contacts made at the show. More importantly, 33 of the participants new to the German market were finding good prospects for establishing long-term agency relationships.

Moreover, it is gratifying to note that of the first 18 product shows staged at U.S. trade centers, five featured fashion goods and apparel. The most recent, the Apparel Fabrics Show, June 18–28, 1963, prompted the Textile Export Association to write, in part: "All participants agree that it was a spectacular success." Sales during or as a result of this show were reported to exceed $1 million.

Encouraged by the recommendations of the White House Conference on Export Expansion, we will continue to sustain forceful and results-producing programs to promote U.S. export sales. Looking ahead a bit with respect to the products in question, a Women's Fashion Bazaar is scheduled at the U.S. Trade Center, Bangkok, Thailand, in April 1964. This first consumer goods show to be held at the Bangkok Trade Center will display dresses, skirts, blouses, sports and casual wear, beachwear and related apparel and accessories. Fashion shows using local models will be featured.

I note that you have sent a similar letter to the Secretary of State, and I understand that a reply from that Department will be forthcoming.

Sincerely yours,

LUTHER H. HODGES,
Secretary of Commerce.

DEPARTMENT OF STATE,
Washington, December 11, 1963.

Hon. KENNETH B. KEATING,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KEATING: I am writing with further reference to your inquiry of November 13 concerning the promotion of exports of U.S. fashions and clothing.

As you know, both the Departments of Commerce and State are concerned with our oversea trade promotional activities and the carrying out of this function abroad involves joint responsibilities. This close relationship exists because the Department of Commerce has primary responsibility for promoting both our domestic and foreign trade while the commercial officers of the Foreign Service constitute the U.S. Government's principal oversea arm for providing support to the U.S. business community's trade promotional efforts.

The Department of Commerce, which received a similar inquiry from you, is sending you a tabulation of specific presentations which have been made abroad for the explicit purpose of promoting the sale of U.S. wearing apparel and related items. It is believed that the Commerce tabulation will show that substantial efforts are being made by the Government to render assistance to our country's clothing industry in building and expanding its export markets through the staging of fashion shows and other suitable devices. The work of our officers overseas in bringing buyer and seller together is an integral part of these efforts. This activity will continue and will be intensified at every appropriate opportunity.

Current guidelines for the trade promotion activities of our ambassadors and their staffs were set forth in Secretary Rusk's letter of October 19, 1962, to all ambassadors. They included the following: "In today's competitive markets we can do no less than our competitors, short of participating in actual sales or giving unfair competitive advantage to one American company over another."

There is nothing explicit in the Department's regulations which prohibits the sponsoring of fashion shows by our embassies. Actually, in the absence of other suitable facilities, rooms in our chanceries have been used for this purpose. For example, at London in November 1961 there was a series of fashion shows in the embassy auditorium over a 2-week period for local buyers of all kinds, as well as for the trade and daily press fashion editors, newsreel cameramen and network television producers. These fashion shows aroused wide interest, achieved considerable national press notice and supported an exhibition of women's casual and sports wear at the U.S. trade center in London. Favorable sales results developed.

Possibly your question as to "Why U.S. embassies do not permit fashion shows as other embassies do?" relates less to fashion shows staged for actual sales to buyers in the trade, but more particularly to presentations at embassy residences arranged to enhance the prestige of designers and their products through appeal to invited prominent guests from the local community.

As far as we can determine no American fashion house has approached the Department concerning this kind of possibility. If an American fashion house desires to explore this matter with us we shall be happy to arrange a suitable meeting for this purpose with appropriate offices of our Department and of the Department of Commerce.

With reference to the recommendations of the White House Conference on Export Expansion we intend, in concert with the Department of Commerce, to sustain export programs which will produce further favorable sales results abroad.

Your interest in the export expansion program is appreciated. If I can be of further assistance, please let me know.

Sincerely,

FREDERICK G. DUTTON,
Assistant Secretary.

AMERICAN HEART MONTH

Mr. DIRKSEN. Mr. President, will the Senator from New York yield to me so that the Senate may consider a resolution designating the month of February as American Heart Month?

Mr. KEATING. I am so appreciative of such efforts that I hope the Senator will express my interest in it.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the Chair lay before the Senate House Joint Resolution 848, a joint resolution calling on the President to proclaim annually the month of February as American Heart Mouth, which passed the House of Reprentatives on December 17. The Subcommittee on Federal Charters, Holidays, and Celebrations, of the Senate Committee on the Judiciary, all of whom I have consulted, have no objection.

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate House Joint Resolution 848, which will be stated by title.

The LEGISLATIVE CLERK. A joint resolution—House Joint Resolution 848—to provide for the designation of the month of February in each year as American Heart Month.

The resolution was read twice by its title.

Mr. DIRKSEN. Mr. President, I ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. Without objection, the joint resolution will be considered.

The House joint resolution was ordered to a third reading, read the third time, and passed.

Mr. KEATING. Mr. President, I move to reconsider the vote by which the joint resolution was passed.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER OF BUSINESS

Mr. KEATING. Mr. President, I have the floor, unless there is objection——

The ACTING PRESIDENT pro tempore. The Chair will never interrupt the Senator from New York in the course of extolments that he has made during the morning hour, and if he desires to continue, the Chair is willing to have him do so.

Mr. KEATING. I appreciate the courtesy of the Chair. I rarely am in a position to having objection made to my taking my seat, but in this case I feel I should because, as of this moment, I have no further statements to make.

CONGRESSIONAL OVERSIGHT FOR THE CIA

Mr. PELL. Mr. President, as Senators are all aware, that there has been a continuous concern on the part of many of us about the lack of congressional oversight over the Central Intelligence Agency with the consequent freewheeling on the part of that Agency in many parts of the world.

Without attempting to breach security or being specific, the not too invisible hand of the CIA can be seen in a variety of involvements in the domestic affairs of a variety of nations, and the results of these involvements are not always in our national interest or in the interest of the citizens of the countries involved.

In this connection, I ask unanimous consent to insert in the RECORD an excellent editorial, which appeared in the Providence Journal for November 27, 1963, entitled "Congressional Oversight for the CIA."

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

[From the Providence Journal, Nov. 27, 1963]

CONGRESSIONAL OVERSIGHT FOR THE CIA

Congress recently was presented a bill asking for a special CIA retirement and disability system for a limited number of the Agency's employees—about 30 percent.

For men and women who risk imprisonment, torture, and death on hazardous missions in hostile lands, such special treatment is no doubt richly deserved.

The only trouble is, as some Members of the House took plains to point out in debate, Congress doesn't really know how many, if any, do deserve special consideration, nor what they do to earn it.

"Mr. Speaker, I am not refusing to support this measure because I do not believe that the employees are entitled to it," said Representative H. ALLEN SMITH, Republican, of California. "My refusal is because I just do not know whether or not they are entitled to it. I know so little about the CIA and their activities, that I do not wish to pass further legislation which will further increase my lack of knowledge. It seems to me that Congress not only has the right, but that it has the responsibility to know more about the CIA."

Congressman SMITH pointed out that the 30-percent figure cited by advocates of the measure is meaningless because Congress does not know how many CIA employees this percentage applies to. Nor does it know what they do; nor what is already being spent on CIA activities.

"Very frankly, Mr. Speaker," the Congressman continued, "I anticipate that Khrushchev and even the Russian Embassy here in Washington know more about CIA than I do."

He's probably right. Although several committees of Congress—including one the membership of which is itself secret—exercise some surveillance over intelligence operations, this surveillance appears to be "almost certainly both cursory and sporadic," as Congressman JOHN V. LINDSAY, Republican, of New York, put it in a floor speech last August.

If the attitude of Senator LEVERETT SALTONSTALL, Republican, of Massachusetts, a member of the Senate CIA Subcommittee, is any indication, present congressional oversight of cloak-and-dagger operations is, indeed, shockingly lax. After the U-2 incident, Senator SALTONSTALL said he did not want to investigate too intensely because "we might obtain information which I personally would rather not have." Such remarks lend support to charges voiced by Representative PAUL C. JONES, Democrat, of Missouri, that some Members of Congress tend to be overawed by the great secrecy under which CIA operates.

There is no question that there are phases of the intelligence operation that ought to be treated with great discretion. But there is no reason not to trust a Special Joint Committee on Intelligence, similar to the Joint Committee on Atomic Energy now headed by our own Senator PASTORE, to practice such discretion. Such a committee, long proposed, ought to be established before Congress gives CIA another cent.

In the meanwhile, Congress and the administration ought to give serious consideration to lifting fully the veil of secrecy from the more routine intelligence activities, such as the gathering and analysis of data which is available for the digging. Such activities

probably account for the bulk of CIA's personnel and expense.

It is apparent that the CIA is playing a growing role in U.S. foreign relations and has become a major factor in determining U.S. policies. The American people, or at least their chosen and trusted representatives, ought to know who is doing what for how much in our name. This is, as Representative SMITH asserts, a congressional responsibility.

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

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

The legislative clerk proceeded to call the roll.

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

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

NATIONAL COUNCIL ON THE ARTS AND NATIONAL ARTS FOUNDATION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business, to make it the pending business.

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which is S. 2379.

The Senate resumed the consideration of S. 2379 to provide for the establishment of a National Council on the Arts and the National Arts Foundation to assist in the growth and development of the arts in the United States.

Mr. PELL. Mr. President, I rise to urge passage of S. 2379, a bill which provides for the establishment of a National Council on the Arts and a National Arts Foundation to assist in the growth and development of our Nation's cultural resources.

The National Council on the Arts will consist of a Chairman, and 24 members appointed by the President, in staggered 6-year terms. The members will be selected from among private citizens widely recognized for their broad knowledge, experience, and profound interest in the arts. The Chairman will be appointed by the President by and with the advice and consent of our body. This Chairman shall have the collateral responsibility of advising the President with respect to the activities of the Federal Government in the arts. He shall not serve in excess of 8 consecutive years.

The National Arts Foundation shall be governed by a Board of Trustees consisting of 21 members appointed by the President by and with the consent of our body, and will be selected by the same criteria as apply to the Council. The Foundation will handle the allocation of grants-in-aid, and the Director of the Foundation will be appointed by the President, also by and with the advice and consent of our body.

The bill, while not a giant step toward the full fulfillment of the cultural and artistic needs of our Nation, is a long overdue step in that direction.

It gives legislative sanction to a Federal Council on the Arts, a concept already established by Executive order by President Kennedy last June, and which was first asked for by President Eisenhower in 1955. It authorizes an appropriation for the present fiscal year of $5 million, and for subsequent years of $10 million. The Foundation may not be set up until 90 days following establishment of the Council. This is in accord with a Bureau of the Budget recommendation that there be an appropriate waiting period between the formation of the two bodies.

Grants-in-aid will be dispensed only on a matching basis to individual States and State agencies. Fifty percent of the total funds available will go to the States, and 50 percent to nonprofit professional groups meeting Foundation standards of excellence. The matching grant principle will also be applied to groups, except that no more than 20 percent of the total group funds may be used without this limitation in cases when particular groups may not have met full matching-grant requirements.

As was evident at the recent hearings before the Senate Special Subcommittee on the Arts, this principle of partial assistance is welcomed by our Nation's cultural community. The experience of the New York State Council on the Arts shows that the amount of private artistic activity resulting from public supported cultural programs is on the order of 8 to 1 over a 3-year period.

Our subcommittee had 5 full days of hearings. We heard testimony from 37 witnesses. Additional communications were received from almost 50 other distinguished representatives of our cultural life. Wholehearted and enthusiastic support for the legislation was virtually universal. It not only covered the spectrum of American art and talent, but came from all sections of the country—from the South, including the Carolinas and Texas; from the Middle West; from as far west as our new State of Hawaii; from the East, from such States as New York and New Jersey and the Commonwealth of Pennsylvania; and from my own Rhode Island and New England.

The hearings brought out the fact that private sources are simply no longer able to sustain the potentials of our cultural progress, that a financial crisis exists in the arts in this country, which bears on both our national well-being and on our prestige abroad. These hearings also brought out that one of the great advantages over the Communists enjoyed by the West is in the area of the creative arts, but that in the United States we are rapidly losing our relative advantage.

In supporting the "basic principles and fundamental values" contained in this legislation, the Bureau of the Budget said:

> We agree with [its] objectives of increasing the cultural resources and improving the cultural vitality of the United States. Accordingly, we look forward to the ultimate enactment of legislation to achieve these objectives.

This bill, supported by Democrats and Republicans, northerners, and southerners, easterners, and westerners alike, would seem a significant and helpful step forward to our national ethos. I urge its passage.

Mr. KEATING. Mr. President, I am very glad that the Senator has taken the lead in bringing the bill before the Senate. I particularly agree with what he said about the financial crisis that we face today in the arts. In the past, the arts have had their greatest support from private sources. In many instances those private sources have dried up, in part by reason of our tax programs. No longer is it possible to amass the great wealth needed to subsidize artists and cultural ventures. No individual or small group of patrons can be expected to assume this burden.

But in the days of the Medicis, culture was for the privileged few, and so a few paid the price. In 20th century America, however, music and art, ballet and drama should be available to all, and each citizen should contribute to the support and encouragement of the arts.

It is certainly true that our progress in the arts has had much to do with the impression which our country creates in other countries. Not only are they impressed, oftentimes, by our military might or economic power, but they are also impressed by our interest in the arts and in some of the finer things of life.

We are fortunate in having perhaps the most varied culture of any nation since we are truly an amalgamation of all the peoples of the world. Our heritage, while taking the best from every land, is still uniquely American and our culture is the expression of those two forces.

We have learned what cultural exchange can do to promote friendship among peoples, and as the leader of the free world, we have the responsibility to set an example of excellence. The Government, in turn, has the responsibility to foster the arts, not only for export, but for wide distribution here at home. While I am proud to represent the State which is perhaps the cultural center of the Nation, I know that even in parts of New York there are people who seldom have an opportunity to hear a symphony, or an opera, and rarely see a performance of the ballet. Even worse, promising youngsters are not given the help and encouragement needed to foster a career in the arts. Like Grey's roses, they are "born to blush unseen and waste their perfume on the desert air."

This bill will go a long way toward correcting these conditions. It will show the world that we are a nation concerned with our culture and will assure our own people that we value the arts and respect the artist. I intend to support this measure to establish a National Council on the Arts and a National Arts Foundation.

Mr. PELL. I thank the Senator from New York very much for his support and help.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment.

Mr. THURMOND. Mr. President, I desire to comment on the bill, but first I wish to propound a query to the distinguished Senator from Rhode Island.

It is well recognized that the Federal Government is a government of limited

powers. The only powers possessed by the Government at the national level are those that have been delegated by the States, under the Constitution, to Congress.

Under what provision of the Constitution does the Senator from Rhode Island feel that the National Government has jurisdiction to act in legislation of this kind?

Mr. PELL. The Senator from South Carolina has raised a valid question. In the Constitution itself, in article I, section 8, there is a specific reference which, while it may not fully apply, brings into light the concern of the Federal Government for the arts. The provision reads:

> To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive rights to their respective writings and discoveries.

The only reason why I cite that clause is to show that the arts are recognized in the Constitution as a part of our national life.

But in direct answer to the Senator's query, I can only read from the Preamble of the Constitution, a part of the intent of which is "to * * * promote the general welfare." To my mind, the bill falls directly within the confines of general welfare.

I recognize that the distinguished Senator from South Carolina has a narrower view or interpretation of the boundaries of the area covered by the general welfare clause than do I. This is a point on which friends can disagree; but I believe the phrase is open to this reading.

Mr. THURMOND. I thank the distinguished Senator from Rhode Island. I must say that I am in hearty disagreement with him as to his interpretation of the welfare clause, and also the clause pertaining to science and the useful arts. I do not believe either of those two provisions of the Constitution is applicable in matters of this kind. I think my remarks will cover the point mentioned about the welfare clause.

Mr. President, I desire to express my most strenuous objections to the enactment of S. 2379. This bill would create a National Council on the Arts within the Executive Office of the President and would also create a National Arts Foundation as an independent agency. The National Council on the Arts, which would be created by title I of S. 2379, is to consist of 24 members appointed by the President and a Chairman appointed by the President by and with the advice and consent of the Senate. The function of the National Council on the Arts is largely advisory. Not only would they seem to duplicate the functions of the National Arts Foundation, which would be created by title II of this bill, but I am sure that they would duplicate the functions of the President's Advisory Council on the Arts, which is now in existence.

The National Arts Foundation, which would be created by title II of S. 2379, is to be governed by a board of trustees consisting of 21 members appointed by the President by and with the advice and consent of the Senate. The Foundation is given the sole duty of distributing the funds which are authorized to be appropriated by this measure.

Mr. President, there is absolutely no constitutional authority for congressional approval of this measure. The declaration of policy contained in section II of the bill states in part that:

> (1) The encouragement and support of the arts, while primarily a matter for private and local initiative, is also an appropriate matter of concern to the Federal Government; (2) the Nation's prestige and general welfare will be promoted by providing recognition that the arts and the creative spirit which motivates them and which they personify are a valued and essential part of the Nation's resources.

Thus, we see that only casual mention is given to the general welfare section of the Constitution. The general welfare provision of the Constitution does not authorize the Congress of the United States to engage in programs of this type. It gives no legislative power per se to the Congress, but merely acts as a further restraint upon actions which are taken under authority granted elsewhere in the Constitution. It would require an imagination of truly artistic, rather than legalistic. talents to justify this measure under the general welfare clause or under any other section of the Constitution.

Although the bill, in section 3, contains a prohibition against any exercise of direction, supervision, or control over the policy or programs of any group or State, this prohibition, I submit, will be ineffective. The Supreme Court has stated that the Federal Government has the power to control that which it subsidizes and experience proves that when the Federal Government has the power, that power is eventually exercised. In making grants to groups and State agencies, the National Arts Foundation will, of necessity, approve those programs and the art forms for which the money is to be expended.

Mr. President, this Foundation would have the authority to make outright grants to both individual groups of artists and to States.

For this purpose the bill authorizes the appropriation of up to $5 million for the current fiscal year and for each subsequent fiscal year a sum not to exceed $10 million. This is nothing but an outright subsidy to the arts, despite some attempts to label it as something else. One of the witnesses who testified on behalf of this legislation last year said:

> There would be Government subvention—not subsidy.

Not knowing offhand the exact meaning of the word "subvention" I went to the trouble of looking it up in the dictionary. Here is what Webster says of the word:

> 1. A subvention; 2. A grant of money; 3. esp., a subsidy from a government or foundation.

So it can be seen in whatever words it is expressed, it all amounts to the same thing—a subsidy.

Mr. President, the present national debt of the United States is in excess of $308 billion. There are many billions of dollars over and above this which are not included within the debt limit, which are firm obligations of the U.S. Government. The economic stability of our Republic is of grave concern to us all, and I do not believe that this measure can be justified in the light of the present situation. The bill will not provide jobs for the unemployed in many regions of our country, such as Pennsylvania and West Virginia.

It should be remembered that this is no temporary program. This is permanent legislation and although the amount of money involved is by some standards rather low, the principle of the subsidy is the same, and the dangers inherent in the program are many. First of all, Mr. President, the National Arts Foundation will have to determine the artistic worth or significance of the programs for which a subsidy is sought. This will eventually lead to sterility of thought and production. Centralizing the power of subsidizing the productions of their choice in such a few chosen trustees and officers of the foundation can result in nothing but the stifling of the truly creative mind. A great number of the works which have achieved immortality over the years were never accepted by the so-called "experts" when they were first written or produced. I submit that the proposed legislation, if enacted, will actually discourage original thought and our artists will be writing plays and other productions designed to qualify for a government subsidy.

Mr. President, on page 9 of the report, under the heading "reasons for the bill," appears this statement:

> Almost alone among the governments of the world, the U.S. Government has to date displayed little concern for the development and encouragement of the artistic resources of its people.

Far from being a justifiable reason for enacting this measure, I believe that the committee has clearly enunciated one of the principal reasons why the bill should not be enacted. Our form of government is unique among all the governments of the world, and it is not a proper function of the U.S. Goverment to supervise and finance the arts. The arts have flourished in the United States at an ever increasing pace; and our Government has enabled, even encouraged, them to do so completely independent of governmental control. This is the way it should and must remain. I am certain that we do not wish now to emulate other forms of government after the one under which we have thrived for over a century and a half has enabled the people of America to have the best of everything. Our form of government does not contemplate, nor condone, dabbling in the arts; and I am therefore opposed to the bill, S. 2379.

The PRESIDING OFFICER (Mr. BAYH in the chair). If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

Mr. PELL. Mr. President, I wish to make several points, in response to the remarks made by the distinguished Senator from South Carolina.

First, Mr. President, I recognize the present existence, under an Executive order, of the President's Advisory Council on the Arts. However, there is no question that if this bill is enacted into law, that Executive order will be revoked.

The Senator from South Carolina also referred to the National Council on the Arts, which would be created by title I of this bill, and to the National Arts Foundation, which would be created by title II of the bill. Actually, the functions of each group will be very different. The Council, in addition to other responsibilities, is to advise the President in the area of the arts, whereas the Foundation is to administer the program of matching grants.

As to the question of subvention, it means in this context a partial grant and an assist; and I think one can differentiate between an outright subsidy and a subvention—which means partially assisting a group in need of assistance.

Another point which should be made is that the Foundation itself, through its Board, will not interfere with private endeavors in the arts but will be authorized to create committees, councils, and panels to advise it and make recommendations. These would be composed of professional people and members of the general public broadly representative of the various performing and visual arts, so as to eliminate any possibility of uniformity in viewpoint. The panels would judge the artistic worth and cultural significance of productions for which grants-in-aid are sought, to determine whether they merit the Foundation's support.

It is intended that the advisory panels, which shall be composed of highly qualified professionals, will give added assurance that governmental aid does not lead to governmental interference in or—much more to be avoided—governmental control in the practice or performance of the arts.

It is also the intent to have the Director, in making grants under the subvention principle, consult with and consider the recommendations of the appropriate committees, councils, or panels authorized under section 206.

Mr. President, when the position of the United States in the field of the arts is considered, in comparison with the position of the other countries of the world, we realize that our country has produced great art—great paintings, great literature, great musicians, great dancers; but we also realize that the rest of the world is progressing in the development of the arts and in the cultural and artistic development of its people at a faster rate than is the United States. Therefore, for the United States to move, in the days ahead, at the same pace at which it has progressed in the past will not be enough, I submit, inasmuch as the rest of the world is moving at an accelerated pace. So we have the responsibility—as we also do in connection with economic growth and other areas—to increase the tempo of our development, in line with the increase in the tempo among the other countries of the world.

It may be of interest to Senators to realize that at this time the Soviets are making all sorts of claims in connection with the field of cultural advance. It is evident that cultural programs will continue to occupy an important place in Communist propaganda operations.

Recently, the Central Party journal, Kommunist, stressed in an article that at this juncture in East-West relations, cultural contacts are an important Soviet weapon in the international arena. Indeed, said Kommunist, the Soviet Union has a "mission": to bring "the light of an advanced culture to the peoples of the whole world."

Currently, according to Kommunist, the Soviet oversea cultural program alone is quite extensive. The U.S.S.R. has cultural agreements with 27 "nonsocialist" countries, and cultural contacts with more than 100.

I am not saying that we should imitate them, because we never should. However, when we find that they are moving into an area which hitherto has been the domain of the free countries and the free societies, I think we should take heed and see where we are going and what we can do to increase our own efforts in this direction.

Mr. President, I wish to stress further the point that our national welfare is importantly involved. The United States is on the verge today of a cultural renaissance which could enhance in immense degree not only the well-being of our people, but the prestige of our Nation throughout the world. And we are also on the verge of seeing that potential renaissance stifled and rendered ineffective, both at home and abroad.

We are poised between the healthy, beneficial development of our cultural resources and the erosive, debilitating process of losing the very wellsprings of creative growth. We are at a point of crisis in our cultural life. We can surge forward, or we can stand still, which, in comparison with the rest of the world, means to go in reverse.

To many, this warning may seem an exaggeration. But, I believe it is not, although we can point with justified pride to such cultural developments as these:

During the past 30 years, the number of museums in our country has increased from 1,500 to 5,500—and they are being visited annually by 200 million people, according to the American Association of Museums.

Thirteen years ago, the number of community art councils throughout the United States was eight. Today there are approximately 90.

At least six arts councils have been specifically created by State legislatures. More are in the process of formation. A few years ago, there were none.

Some eight additional States have Governor-appointed commissions on the arts. Again, these are recent creations.

Indeed, the reason for the crisis I mention lies in the fact that throughout the United States, there is a burgeoning desire on the part of our people to participate in and to enjoy the great diversity of American art. There is a wish to learn and to appreciate and understand. This desire is wholly new in the breadth of its appeal. It springs from increased leisure, from improving education, from a more secure and rewarding old age.

Mr. President, at this point in my remarks, I ask for the third reading of the bill.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. PELL. Mr. President, art is no longer the privileged domain of a relatively few practitioners and connoisseurs; it no longer exists in a remote and rarified atmosphere. It can no longer be considered as incidental or peripheral to our way of life. It is central to the life we cherish and to the beliefs we hold; for as a nation we are reaching toward maturity, and the surest sign of maturity lies in the growing expression of an indigenous and creative national culture.

President Kennedy and his First Lady gave extraordinary impetus to our cultural progress. This is why there has been such enthusiasm for linking his name to the construction of our National Cultural Center as a permanent and meaningful memorial.

To me, art can be defined as eloquence of expression—and it can be applied to words, to music, to a painting, to the design of a fine building; to the representation of an ideal in stone or marble or bronze; indeed, to any product of the truly creative mind which uplifts and inspires us, or gives us a glimpse of the meaning in life we seek.

The Senator from Minnesota [Mr. HUMPHREY]—who was the first witness before the recent hearings of our Senate Special Subcommittee on the Arts—spoke of the arts as expressing the spirit, mind, intellect, the very souls of the people, and as "the rock foundation of every great civilization since the dawn of history."

The Senator from Minnesota [Mr. HUMPHREY] is an eloquent spokesman for the bill he has sponsored, and in favor of which I speak today as a cosponsor. I should like to read the list of distinguished cosponsors who have also joined with the Senator from Minnesota [Mr. HUMPHREY] in putting forward and supporting this legislation: Senators CLARK, COOPER, JAVITS, LONG of Missouri, METCALF, RANDOLPH, RIBICOFF, SCOTT, and KENNEDY.

The members of the Special Subcommittee on the Arts are: Senators YARBOROUGH, WILLIAMS of New Jersey, CLARK, JAVITS, and PROUTY. They have served on it with me for 2 years, and I am grateful to them and particularly to Senator HILL, our wonderfully wise, able, and fair chairman of the Committee on Labor and Public Welfare, who constituted the subcommittee in the 87th Congress and reconstituted it in the 88th. The bill we have before us is in part due to the excellent work of the Senator from Pennsylvania [Mr. CLARK], whose own bill was before the subcommittee last year and whose concept of matching grants is incorporated in this year's legislation. The Senator from Texas [Mr. YARBOROUGH] served as chairman of a Special Arts Subcommittee in the 86th Congress, and he has given valiant support once again this year.

But, Mr. President, this is a bipartisan bill we are considering, and I should like to pay special tribute to the Senator from

New York [Mr. JAVITS]. The senior Senator from New York is perhaps our most illustrious pioneer in the field of cultural endeavors in the Congress. Fifteen years ago he sponsored the first bill in the House of Representatives to establish a national cultural establishment, to provide for a national theater and a national opera and ballet. Throughout the years, he has championed consistently and with great dedication the basic causes we seek to implement today.

It has been a long and often frustrating 15 years from the standpoint of cultural legislation. Only once, as we have seen, in 1956, did the Senate pass a bill to establish a Federal Advisory Council on the Arts. The bill was subsequently tabled in the House Committee on Education and Labor. No House legislation in this area has ever received sufficient support for passage.

As Mr. August Heckscher, special consultant on the arts, has pointed out, at least 40 bills which concerned the arts were before the Congress in 1962.

But this is the year 1963, Mr. President, and we have before us now a bill which combines many previous concepts and ideas, and puts them, I am convinced, in the most comprehensive and effective form we can evolve.

Mr. SALTONSTALL. Mr. President, will the Senator from Rhode Island yield to me at that point?

Mr. PELL. I am glad to yield.

Mr. SALTONSTALL. I appreciate the Senator's yielding to me at this time because I must attend a conference on the foreign aid appropriation bill.

From the brief study I have made of the bill—and I do not pretend to know a great deal about it—I believe the subject of the arts is a question which concerns our own personal judgment. My fear is that in establishing a commission, a committee, or a council of advisers appointed by the President, the counselors will change from time to time and they may have decided ideas on what is proper and what is not proper from the standpoint of art, and they may become somewhat dictatorial. It seems to me that the subject is one which could best be left to the heads of local art museums, or to the local directors of symphony orchestras, and so forth, rather than having an overall board that would try to stimulate action along any one line.

I thank the Senator from Rhode Island for permitting me to make these comments at this time.

Mr. PELL. I thank the Senator from Massachusetts, for whom I have regard, affection, and respect. My own view is that those to be appointed would be appointed across the board from leaders in the various fields of the arts. They would be private citizens. We recognize the danger the senior Senator from Massachusetts has mentioned and we shall do everything we can to avoid it. The alternative to appointing a council is not to appoint one at all, which could lead to greater problems.

Mr. President, included in this bill is Senator HUMPHREY's concept of a National Council on the Arts and his and Senator JAVITS' concept of a National Arts Foundation. President Kennedy, in establishing last June by Executive order the President's Advisory Council on the Arts, expressed the hope that it would be given a statutory base. The Foundation, to which Senator JAVITS has particularly devoted his talent and efforts, gives new scope and shape to this bill, and is a most important part of the whole. In Senator HUMPHREY's final version, the definition of the arts has been broadened to cover the entire spectrum of American creative and interpretive activity.

The Bureau of the Budget submitted this statement to the subcommittee:

> We recognize that this legislation is the most comprehensive in the arts area to come before the Senate for consideration. We support the basic principles and fundamental values contained in [the legislation] and agree with their objectives of increasing the cultural resources and improving the cultural vitality of the United States. Accordingly, we look forward to the ultimate enactment of legislation to achieve these objectives.

Mr. President, support for this legislation has come through the opinions expressed by some 85 individuals and recorded in the subcommittee hearings. Support has come from the South of our country, from the Carolinas, from Texas; from the Middle West and the East, and from as far west as our new State of Hawaii.

The legislation is urgently needed. At the subcommittee hearings, witnesses, from the major fields of artistic accomplishment throughout the United States, emphasized over and over again that private sources are no longer able to sustain our cultural undertakings; that the performing arts have been forced to abandon many sections of the country, that they are concentrated now in the major centers of population, and even there struggling with backbreaking deficits; that the museums, despite their remarkable growth in numbers and attendance, are confronting the same financial problem, resulting in an insufficiency of funds available for research, conservation, and the training and attracting of new recruits.

U.S. Commissioner of Education Francis Keppel, in testimony before the subcommittee, reported authoritative figures to show that the present unmet needs for cultural undertakings in this country stand at $320 million. The American Guild of Musical Artists reported that 90 percent of its members earn less than $5,000 a year. There are in the United States more than 1,200 symphony orchestras—at first glance, a remarkable number—but the vast majority of them perform on a limited and curtailed basis, and they are confronting growing deficits.

Another eminent witness, Mr. John D. Rockefeller, 3d, speaking of our potential renaissance, summarized the opinions of a great many experts who testified. He said:

> The rate of expansion is so rapid that neither private philanthropy nor subscription plans can keep up with the burgeoning requirements. It seems to me obvious—

Mr. Rockefeller continued—

> that only by enlightened government action at the municipal, State, and National level, can the gap between the inevitable needs and present resources be appreciably narrowed.

We reach the unmistakable conclusion, I submit, that here and now the Federal Government has a vital role to play in the fostering of the central, the basic cultural values in American life. If we fail to act, a cultural renaissance can become a cultural vacuum.

A generation of Americans may grow up who have never witnessed a live performance of the theater, who have never heard a great symphony orchestra perform in an auditorium. Already many American artists in a variety of fields—musicians, operatic performers, painters—are seeking satisfaction for their talents in foreign countries. Certainly we approve of cultural exchange; but just as surely we cannot approve of permanent cultural loss.

Why are American artists leaving our shores? And why do we find that the current Broadway stage, for instance, is peopled by numbers of British performers?

It is because we are lagging far behind the rest of the free world in government recognition of the significance of cultural activities, and government support for the arts.

There is extensive government support for the arts in such countries as Italy, France, and West Germany, to name a few. But let us look for a moment at the Arts Council of Great Britain, which has been credited with stimulating the cultural growth of that nation to its current high position in the world. This council functions with an annual government grant of approximately $5.6 million. It stimulates a wealth of enterprises, from literary activities to art festivals and associations, to the Royal Opera and the Sadler's Wells ballet; to almost 50 theatrical groups and repertory theaters, including the renowned Old Vic. The council's roots go back to the dark days of World War II, when the British Government recognized that there was a need for cultural inspiration over and above the stringencies of a wartime budget.

In the United States we have one National Repertory Theater, founded in 1961. It is sponsored by the congressionally chartered American National Theater and Academy, but the National Repertory Theater exists now on private funds. These are meager in comparison with the theater's potential value. We have welcomed its excellence to Washington; we have welcomed here in the Capital its distinguished cast. It is currently on tour to the number of communities its budget will allow. But these are limited to 22 cities in some 14 States; and if we are to reach the far corners of our country and reach into every State, our enterprises in this field alone must be greatly expanded.

The Arts Council of Canada is a closer example to us of government support for cultural achievement. It expends over $2 million in government funds. On a per capita basis of national population, the government expenditures of the British and Canadian Councils are remarkably similar. The figure is approximately 11 cents per person.

If we set our own appropriations on this basis—without taking into consideration the fact that citizens of the

United States enjoy the highest standard of living of any nation on earth on an average—our figure in this legislation would be $20 million.

Can we not afford in this Nation 10 cents per person per year for our cultural progress? That is why I say, Mr. President, that this bill contains a modest sum indeed.

It is modest indeed, when compared with what would be spent by the average family in a year for going to the movies or buying a television set.

We should not be testing with these funds untried practices. We do not have to look abroad to realize that the "subvention" principle, in the phrase the Senator from New York [Mr. JAVITS] has often used, would work extremely well in this country. "Subvention" means partial assistance, the matching grant principle in the language of the bill. It also implies that the initial Government sum will be multiplied through subsequent private support.

In New York, for example, as I briefly mentioned earlier, the New York State Council on the Arts began with an initial State appropriation of $50,000. This year, 3 years later, the New York council had stimulated new theatrical productions to the point that $392,000 is being derived from private sources to help finance these new activities. In a period of 3 years, the ratio has become almost 8 to 1 between initial State expenditures and subsequent private financing.

It is readily seen how partial Government assistance can encourage private support. Repeatedly at the subcommittee hearings, this concept was stressed—from the private foundation standpoint, from the Governor-approinted Missouri Commission on the Arts, which has witnessed private business rally to support the committee's work. Artists repeatedly emphasized that they would welcome this form of Government assistance, which is so very different from direct subsidization or control. They stressed that this principle is in accord with the best traditions of our democratic process, because it would establish the needed working partnership between the Government and the individual citizen.

This legislation will give the Federal stamp of approval to this principle. It will encourage the formation of other State agencies and individual groups.

It will help to decentralize the arts, so that they will be no longer concentrated only in large cities, so that eventually each citizen may have a better opportunity of enjoying and participating in them.

It will increase the exposure of our citizens to creative and interpretive excellence, so that they may appreciate, and assimilate, and learn.

The National Council and the Foundation each will bring together the best talents in this country to plan how best to develop our cultural vitality. Never has this been more important.

The legislation will give to the American artist the recognition he yearns for, so that he will no longer need to seek elsewhere for higher satisfaction.

Under the cooperative and constructive combination of expert talent this legislation sets forth, better cities can be planned, better buildings, and better design for the products we produce in an increasingly competitive world market.

These are but some of the reasons for this legislation, Mr. President. I have left to the last an overriding factor which I believe makes it mandatory.

I have touched on this subject before. I emphasize it again in this light.

Our most needed scientific explorations, our scientific research, for which we spend billions of dollars annually; our billions spent to maintain the posture of strength we require in the world; our billions spent to provide the physical amenities of a better life for our citizens—all these will mean very little, if the culture of our people stands still or, worse yet, is allowed to erode. For, ultimately, what we pass on to our children and to the world must not be material values, but creative values.

We are in conflict today with the materialism of totalitarian forms of government, which by definition stifle creative thought. We must contribute to the world something better than this, something more lofty, something that is in tune with freemen, something to inspire them. In proportion as the best in our cultural life grows and is nourished, so will we give to our people what they are searching for and need, so will we demonstrate still another failure of communism in meeting a human need, and at the same time we will give to the world a meaningful heritage.

Mr. JAVITS. Mr. President, the first thing I should do properly is to thank so many Senators for "holding the fort" on this bill until I could reach the Chamber. I am especially grateful to the majority leader [Mr. MANSFIELD] and to my beloved colleague, the Senator from Rhode Island [Mr. PELL], who has so graciously done this.

There is a very special reason for this. This is a bill for which I have been working for 15 years, since 1948, when I introduced the first measure of this character in the House of Representatives, I considered it to be one of the major developments in our Nation's life. In a sense, our Nation shows, by what I hope will be the passage of this bill today, a sense of maturity which brings it abreast of the other major countries of the world.

I am sure others of my colleagues have referred to the fact that this Nation is just about the last major country in the world that has not given recognition to artistic and cultural development; and the recognition that is represented by this bill is of a very modest character compared to what is being done all over the world in a very much more extended way.

Some of the celebrated cultural institutions within the knowledge of mankind are institutions supported by government; here we are proposing a very modest subvention, not nearly approaching in size and character the effort which has been made by most of the great institutions to which mankind looks for inspiration. For example, the Comedie Francaise, the great Vienna State Opera, the Old Vic Theatre, in London, the Danish Royal Ballet—all of these owe their activities to some kind of government assistance.

When I came to the Senate, I found the great warmth and agreeableness on this subject. The Senator from Rhode Island [Mr. PELL], a relatively new Senator, jumped into that effort with a spirit and understanding which I think auger most auspiciously for his future in the Senate. I shall always be grateful to him. Millions of Americans should be grateful to him, and they are, for the initiative he has shown in opening the hearings on the arts legislation, and for the manner in which he has persevered with understanding and tact to bring the issue to this point. There can be no greater tribute to the Senator from Rhode Island [Mr. PELL] than that we have reached the point I have tried to achieve in 15 years. He has been the principal factor in bringing about this result.

Also, the Senator from Minnesota [Mr. HUMPHREY], sponsor of this bill, who joined in a bill with the Senator from Pennsylvania [Mr. CLARK], which resulted in bringing about a measure agreeable to our colleagues on the committee, and, I trust, to the Members of the Senate, has been instrumental in bringing this matter before us for action.

It will be remembered that in the previous Congress a bill was reported which was similar in content, but it was too close to the end of the session for it to be acted upon.

I also mention the Senator from Pennsylvania [Mr. CLARK], whose initiative produced the idea of matching funds for States, an especially important development, as there are 15 States which have some form of State council for the arts. The matching aspect of the bill thus becomes of great importance.

The power of the Federal Government to act in this fashion is very clear. It started back in George Washington's day. Indeed, there is a quotation in the committee report from President George Washington, which was included in the testimony of the Senator from Minnesota [Mr. HUMPHREY], in which in 1788 George Washington wrote:

> The arts and sciences are essential to the prosperity of the State and to the ornament and happiness of human life.
>
> They have a primary claim to the encouragement of every lover of his country and of mankind.

So we have the statement that this is properly a governmental activity. We have the Fine Arts Council. We have the Smithsonian Institution. We have activities which have never been questioned in terms of constitutional power.

I do not wish to delay the Senate, but I wanted to make this brief statement.

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

Mr. JAVITS. I yield.

Mr. METCALF. When the Senator from New York and I were together in the other body, we worked on the same project. At one time, as a member of the Labor and Education Committee of the House, I was chairman of an ad hoc

committee that attempted to bring about passage of a similar bill that had been sponsored by the Senator's predecessor. We have worked together in this field.

I am interested in the fine constitutional analysis of the bill that the Senator is making. It is an important contribution to this debate. I am proud to join in the sponsorship of this legislation, and congratulate the Senator from Rhode Island [Mr. PELL] for his leadership in getting it through the Senate committee, and, I hope, through the Senate.

Mr. JAVITS. The Senator from Montana [Mr. METCALF] has himself been a leader in this field, and is one of the copsonsors of this bill.

While I am on this subject, neither the Senator from Pennsylvania [Mr. CLARK] nor I have mentioned that there is in the bill provision for a Federal Advisory Council on the Arts, a very important aspect. This is a contribution of the Senator from Minnesota [Mr. HUMPHREY]. It is really an administrative matter, as President Kennedy had issued an Executive order providing for such a Council. The bill would provide legislative and statutory support for it. I express the hope that President Johnson will promptly appoint the Council. It would be auspicious if it were appointed under the terms of the bill.

To sum up, the four major reasons why the bill should be passed are as follows:

First. The grandeur and dignity of our Nation are at stake. We are unique among the great nations of the world in not giving recognition to our artistic development, especially one which is so rich in this country, and which is recognized throughout the world.

Second. To assist in the growth and development of the arts. This is, after all, as George Washington said, one of the fundamental reasons for our Nation to exist as a nation.

Third. To give broad encouragement to the expression of American creativity and to our artists.

When we remember that the total number of members of the Actors Guild is about 12,000, and that only 10 percent of that number, 1,200, have any kind of jobs at any one time during the year, and that that number has diminished by three-quarters over the past decade, one begins to realize how important it is to promote creativity in the American arts.

Third. Official recognition by our Government of outstanding performances of merit in the arts. President Kennedy, again in an act of great foresightedness, established a national award to give such recognition. Therefore it is highly important that the Nation should show it in its own activities.

Fourth, and very importantly, as an element of the whole aspect of the United States in the world. The Russians and Communist Chinese are making tremendous "hay" in terms of impressing upon other peoples the fact that they sponsor such extraordinarily gifted organizations and artists as the Bolshoi Ballet, Oistrakh, and others, while we operate our programs through the State Department on an emergency appropriation, when we have such great pride in our own Heifetz, Van Cliburn, Bernstein, Marian Anderson, Rubinstein, and other great artists.

This is a very important and felicitous day for me.

August Heckscher, the President's special consultant on the arts, made this program the central theme of his report to the President. When the strike affecting the Metropolitan Opera House was settled by Arthur Goldberg, now an Associate Justice of the Supreme Court, he again made this idea the central theme of what the Nation has to look forward to in terms of developing its arts.

As to the money that is involved, the amount in the authorization is very small, but it can have a tremendous effect.

I have estimated that for every dollar appropriated there is a multiplier of 5, thus producing $50 million of cultural activity for every $10 million appropriated.

In New York State we have made an estimate, because New York State operates such a program through the New York State Council on the Arts. I am very proud of the fact that we have legislated such a program and that it is in effect.

At this point I ask unanimous consent to have printed in the RECORD a brief analysis of the respective State programs in the various States which are involved with various State councils.

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

In California, a bill to establish a fine arts commission is expected to pass the legislature. The measure, modeled on the New York State Council, is supported by Gov. Edmund G. Brown.

Economy has influenced legislators to favor State assistance to the arts. Unions affected by the movie slump have argued that State and community help for theaters would ease the Hollywood recession.

A Connecticut bill creating a State commission on the arts was signed into law on June 6 by Gov. John Dempsey. The 15 members will survey public and private cultural facilities in the State.

In New Jersey, Gov. Richard J. Hughes recently named an 11-man commission to study the arts. Members include the artist, Ben Shahan, and the playwright, Selden Rodman. The State's first cultural center, which will cost $6 million, is being built in Trenton. It is scheduled for completion next year.

For many years, North Carolina has considered support of the arts a vital concern. It owns and supports an art gallery in Raleigh and has contributed to the North Carolina Symphony Orchestra and subsidized outdoor dramas.

The General Assembly of North Carolina is considering a proposal to appropriate $325,000 for a school for the performing arts.

The proposal, strongly supported by Gov. Terry Sanford, is said to have a better-than-even chance of acceptance. The State school for music, dance, and drama would operate at the high school and college levels.

In Missouri, Gov. John M. Dalton named a 25-member arts committee last December. A bill has been introduced in the legislature to create a Missouri Council on the Arts.

In Minnesota, the legislature has rejuvenated a lagging arts program that is 60 years old and has passed a State art council bill.

Kentucky has a varied program—all instituted since 1960. Through the State council on public higher education, the State contracts with the Louisville Symphony Orchestra—at $50,000 annually—for performances at State colleges. The Lexington Little Symphony, backed by State funds, plays in small cities in cooperation with local civic groups.

The Kentucky Council of Performing Arts was recently set up.

Michigan established a cultural commission in 1960, and it now has 100 members. William E. Stirton, a vice president of the University of Michigan who was serving as chairman, resigned in January, but he has continued his interest in the commission's activities.

Mr. Stirton said the commission had helped in establishing an artist in residence—a pianist—in Flint, and had encouraged communities to hold concerts and to develop arts centers.

VIRGINIA SUPPORTS THEATER

In Virginia, the Barter Theater at Abingdon has received an annual appropriation of $12,500 to $18,000 for many years.

The Virginia Museum of Fine Art in Richmond sends "artmobiles" with exhibitions to cities and towns. The museum helps plan programs through a statewide Confederation of the Arts established 2 years ago.

Nebraska created the Council for Nebraska's Cultural Resources in 1961. Its financing has come through private subscriptions and donations from individuals and corporations.

Dr. Walter Militmer, chairman of the council and dean of the University of Nebraska's College of Arts and Science, said that "at this point the council is a State coordinating agency for various local groups in cultural pursuits."

In Nevada, Gov. Grant Sawyer is appointing a 10-member committee to determine possible steps toward a program. Dr. Craig Shepherd, head of the University of Nevada's Art Department, will be chairman of the council.

Washington created a State arts council in 1961, but only $2,000 has been appropriated for the next 2 years.

In Ohio, a bill to create an Ohio Arts Evaluation Commission to help in determining the role of State agencies in the growth of the arts is being considered in the legislature.

"It has not yet been conclusively determined that new government support for the arts will be truly effective," Mr. MacFadyen said. "However, I believe that if this support develops with sound artistic objectives, a significant contribution to the arts, in America will follow."

Mr. JAVITS. Mr. President, the estimate which we have from New York is a ratio of 8 to 1; that is, funds which will be available privately from all nonprofit sources for the development of artistic endeavors in this country, compared with every dollar of federally appropriated funds.

This is really a signal day in our national history, of which we can be proud, honoring, as it does, a tradition which goes back to the days of George Washington. I hope very much that the Senate will pass the bill.

Mr. CLARK. Mr. President, as one of the sponsors of this bill and as a member of the Committee on Labor and Public Welfare, I am delighted that this bill is now about to be passed by the Sen-

ate. The bill results from an extraordinary amount of work done by the able Senator from New York [Mr. JAVITS], but I think the highest praise should go to the Senator from Rhode Island [Mr. PELL], who was chairman of the special subcommittee which took the testimony on the bill, and who brought it successfully through the full committee and to the floor. The dedication of the Senator from Rhode Island [Mr. PELL] in the cause of the arts ought to get much more publicity than it has received. I commend him publicly on the floor of the Senate for his fine work.

This bill is a synthesis of bills introduced by me, the Senator from New York, and the Senator from Rhode Island. It is an important step forward in the sponsorship of the arts by the Government, a principle with which I am in complete sympathy.

I hope the bill will promptly be passed by the other body and will become law.

Mr. HUMPHREY. Mr. President, I wish to commend my distinguished colleague from Rhode Island [Mr. PELL] and all the members of his subcommittee. I would also like to thank the Senator from Alabama [Mr. HILL], the distinguished chairman of the Labor and Public Welfare Committee, who facilitated the expeditious handling of this fine bill. The Senator from New York [Mr. JAVITS] should also be commended for his generous action in incorporating his bill, which was very similar to the legislation now before us, into this bill and thus minimizing delay. I am hopeful that all this work and selfless cooperation will now be capped by speedy passage of this needed legislation.

You will recall that during the 87th Congress, I introduced a bill, S. 741, to establish a Federal Advisory Council on the Arts. After 3 days of public hearings, the Special Subcommittee on the Arts reported my bill with amendments incorporating some of the principal features of bills drafted by Senator JAVITS and Senator CLARK. I believe S. 741 would have passed the Senate if it had come to a vote last year. However, the 87th Congress came to a close without this legislation receiving consideration on the floor.

Nevertheless, the fact that S. 741 had been reported favorably by the Labor and Public Welfare Committee constituted a significant step forward in securing long-overdue support for and recognition of the cultural and artistic activities of this country.

Early in the present Congress therefore, the Senator from New York introduced a proposal which was almost identical to the reported version of S. 741 in its major provisions. His bill proposed the establishment of a U.S. Arts Foundation. I was privileged to cosponsor this measure which is S. 165.

However, I also perceived the value of a bill that would establish both the Arts Foundation suggested in Senator JAVITS' bill and a National Advisory Council on the Arts which has been recommended to every Congress since President Eisenhower suggested it in 1955. S. 2379 reflects my proposal in this regard. I am extremely pleased that Senators JAVITS, CLARK, COOPER, LONG, METCALF, RANDOLPH, SCOTT, RIBICOFF, and the distinguished chairman of the Arts Subcommittee, Senator PELL, joined me as cosponsors of this legislation.

Title I of this bill creates a National Council on the Arts in the Executive Office of the President. Last June, President Kennedy took steps to establish such a council through the issuance of an Executive order.

Our late President's action has been hailed by the artists of our country and by their vast audience. It was an action that was long overdue. S. 2379 now provides the vehicle for Congress to place its imprimatur upon this Council.

My bill proposes that this 25-member Advisory Council be established within the Executive Office of the President. Members would be appointed by the President, by and with the advice and consent of the Senate.

The Council would recommend ways to maintain and increase the cultural resources of the United States, propose methods to encourage private initiative in the arts, advise and consult with private and public groups and bodies concerned with the arts, and conduct research and surveys in the arts. The Council would be called upon to file an annual report with the Congress. This document should prove extremely valuable in providing the entire country with an annual inventory of major artistic and cultural activities in this country.

In effect, the Arts Council would serve as a national focal point for bringing together the most qualified and knowledgeable persons in the arts and as a vehicle whereby these persons could bring their thinking to the attention of Congress, the President, the States, and the general public.

Senator PELL has very ably reviewed the provisions of this bill and I would like to address myself to some of the questions about its effects.

Does this measure comprise a radical departure from our traditions of government? I think not. The importance of government assistance for the arts has been recognized by our greatest statesmen, the first being our first President himself. In 1788 he wrote:

> The arts and sciences are essential to the prosperity of the state and to the ornament and happiness of human life. They have a primary claim to the encouragement of every lover of his country and of mankind.

I underscore Washington's intention that the arts and sciences have a primary claim. For President Washington was fully aware that the main goal of every great society is to encourage the creative abilities of its members in those peaceful activities that make our lives rich and meaningful.

I believe that, over the years, Congress has shared this view. In 1846, the Smithsonian Institution was created to take advantage of a bequest of James Smithson to the United States. The Institution—under congressional care—has expanded over the years and now includes 10 bureaus, 4 of which are concerned with the arts: the National Museum, the National Collection of Fine Arts, the Freer Gallery—which operates partly on Federal funds—and the world renowned National Gallery of Art, in which we all take great pride. In 1910, Congress created the Commission of Fine Arts as guardian for the L'Enfant plan for the development of the Capital. Some of our finest artists and architects have advised our District government through this Commission.

The Library of Congress operates a Music Division which not only collects material relating to music but also conducts a performance program. The General Services Administration is charged, among other things, with the responsibility of design and construction of all public and administrative buildings of the Federal Government. Its annual payments to architects, muralists, sculptors, and painters are considerable. For many years, the Department of Agriculture has had a program of making and using motion pictures in its educational program. The National Park Service has a program for the conservation of our national historic and architectural monuments. The Office of Education has several specialists serving in areas related to the arts.

The Department of State has engaged in cultural enterprises for a number of years. Particularly since World War II under the foreign building program, the Department has brought in leading architects to design many of our new embassy buildings. Under our educational and cultural exchange program, representatives of our artistic community have traveled throughout the world, testifying to the vitality of our national life.

The Federal arts projects of the 1930's marked an extensively successful effort to participate in the artistic development of our country. Although primarily geared to the problem of employment, these projects had a significant effect on our national life.

An example of the success of our Federal programs of the thirties is apparent from an exhibit which is now touring the country. This exhibit consists of works by distinguished alumni of the WPA and the Treasury arts program. This exhibit had a highly successful showing at the Washington Gallery of Modern Art this summer. The artists in this exhibit who were given encouragement at that time by the Federal Government have gone on to be among the most successful artists of our time. Indeed it may be said that a significant proportion of the great living artists of America today were born of the Federal programs of the thirties. It is my opinion that we are on the verge of another great cultural advance such as the renaissance but I also believe as many others that if America is to take the lead in this advance we must have Federal participation such as that provided for by the bill under consideration here today.

Today, copyright laws, tax programs, and practically every action taken by the executive branch to administer our laws affect the artist as an individual or the various art institutions. It is clear that

Federal participation in the arts—directly or indirectly—is not a new development.

But much of what we have done has been haphazard and in many instances because the Congress and the Executive lack the benefit of experienced counsel in the art fields, the impact of Government activity has too often had a negative effect.

My bill will correct this situation. For the first time this Government will—*in an organized* manner—be able to call upon the best talents and most able administrators in the arts so that they may place their experience at the service of this Nation. The President is aware of the necessity for such coordination and consultation. In this regard, he shares a viewpoint expressed by many of his predecessors—Democrat and Republican—and as I have noted he has taken Executive action. Congress also requires closer contact with America's spokesmen in the arts. My bill will accomplish this.

We must be well advised and we must also be prepared to assist the American arts.

We hear a great deal about the so-called cultural boom in America—and, as a result, some people ask why it is necessary for Government to assist the arts when they are growing everywhere with private support. Indeed, there is mounting evidence of increased interest in the arts in America. I am impressed and heartened by such signposts as the growth in audiences for professional theater outside of New York, by the increase in the number of symphony orchestras across our land, by the numbers of people who visit our art galleries and museums. All this indicates that when more and more of the material wants of our people are satisfied and greater leisure time is given to them, their thirst for meaningful, enriching activity is increased. The "cultural boom," therefore, which is being hailed by many is in fact an expression of unsatisfied interests and desires which indicate the need for Federal legislation.

For the facts are that quality art activity has not increased to meet the demand. Despite a growing interest in art, our society finds it increasingly difficult to support true professional art work. In hearings before this committee last year and before a subcommittee of the House Education and Labor Committee in 1961, testimony was taken from witness after witness regarding the economic depression in which most of our finest artists find themselves. The Bureau of Labor Statistics has compiled similar information substantiating the fact that the artist in our Nation cannot—except in few instances—earn a decent living through his art.

Harold Schonberg, music critic of the New York Times, has this to say in a recent Saturday Evening Post article:

> Strictly speaking, the United States does have over 1,200 symphony orchestras. This is not only an imposing number; it is a spectacular number. Or it is, until one realizes that of those 1,200, perhaps a dozen—if that—can support their musicians with a living yearly wage. The vast majority of the 1,200 are semiprofessional groups that give very few concerts—5, 6, 10 a year.

I was shocked and thoroughly dismayed when our Capital City became threatened with the loss of its only professional symphony orchestra because it was impossible for the management to pay its musicians more than $5,000 a year. It is disgraceful that in a major city such as the District of Columbia a professional orchestra cannot be paid a living wage.

Mr. Schonberg continues:

> We do have some of the best opera singers in the world—but they are not in America. Most of them are solidly entrenched in European opera houses. Naturally. Where else can they go? The sad fact is that America has only one major opera house—the Metropolitan. And there is only one ballet company in America with any sort of international standing.

In his statement announcing the creation of an Advisory Council on the Arts last summer, President Kennedy noted that although amateur theater can be found throughout our country, "the professional theater reaches only a limited part of the population. Indeed," the President said, "children are growing up who have never seen a professionally acted play."

We support libraries through the Library Services Act, and in so doing we hope to bring the works of Shakespeare, Moliere, Eugene O'Neil, Racine, and all the great playwrights within reach of our people. But these men wrote for a living state. How ironic that we assist in supplying these plays in written form but do nothing to bring these works to our population in the form for which they were written.

Title II of S. 2379 provides a modest fund to help communities throughout our land in bringing quality professional art to their citizens.

Art, gentlemen, determines significantly the direction of our culture and our culture is the sum total of what makes life worth living. It is through developing an appreciation of the arts that our new leisure time will be spent constructively. Thus promotion of the arts at a Federal level becomes indispensable in our changing way of life.

Throughout the Western World, many of the great artistic achievements today are being accomplished with the support of government. The Bayreuth Wagner Festival, the Scala Opera of Milan, the Vienna State Opera, the Amsterdam Concertgebouw are all government supported and are flourishing.

Why is it that their governments can encourage art and it is not retarded—instead it is enjoyed within each of these countries and admired throughout the world?

Art has not been stifled in these lands—it has not been subjugated—and neither shall it be in the United States. The contention that Government support for the arts in our country would lead to the ruination of our art forms is a counsel of fear born of a strange lack of faith in the American people and their institutions—both governmental and artistic.

We only do harm to ourselves by accepting the thesis that art and democratic government are natural enemies. Other nations and freedom-loving peoples know that is not so. And while many of our artists of great ability find it difficult to earn a living, and many of our art institutions fail for lack of funds, ironically, governments with far less financial resources have come to the aid of American art. It is worthy of note that in recent years the Italian Government has granted a subsidy to the Chicago Lyric Opera Co. and the West German Government has pledged $2,500,000 for the new Lincoln Center opera house in New York.

Technological improvements cannot be adopted to bring costs in line with our changing economy. Especially in the performing arts, quality work is becoming an economic impossibility. Unless we are to see these art forms disappear from our land at a time when our people—with greater leisure time to spare—seek and need such fruitful interests, we must be prepared to offer a modicum of financial assistance. We have done it in other areas of activity when we have found it necessary to the well-being and happiness of our citizens. I submit we must do as much in the arts, which have been the rock foundation of every great society since the dawn of civilization.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 2379) was passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "National Arts and Cultural Development Act of 1963".

DECLARATION OF POLICY

SEC. 2. The Congress hereby finds and declares—

(1) that the encouragement and support of the arts, while primarily a matter for private and local initiative, is also an appropriate matter of concern to the Federal Government;

(2) that the Nation's prestige and general welfare will be promoted by providing recognition that the arts and the creative spirit which motivates them and which they personify are a valued and essential part of the Nation's resources;

(3) that it is in the best interests of the United States to maintain, develop, and disseminate the Nation's artistic and cultural resources; and

(4) that, in order to implement these findings, it is desirable to establish a National Council on the Arts and a National Arts Foundation to provide such recognition and assistance as will encourage and promote the Nation's artistic and cultural progress.

ASSURANCE AGAINST FEDERAL INTERFERENCE IN THE ARTS

SEC. 3. In the administration of this Act no department, agency, officer, or employee of the United States shall exercise any direction, supervision, or control, over the policy or program determination of any group, State, or State agency involved in the arts.

TITLE I—NATIONAL COUNCIL ON THE ARTS

SEC. 101. This title may be cited as the "National Council on the Arts Act of 1963".

Establishment of the Council

SEC. 102. There is hereby established in the Executive Office of the President a National Council on the Arts (hereinafter referred to as the "Council").

Membership of the Council

SEC. 103. (a) The Council shall be composed of the Chairman provided for in section 104 of this title, and twenty-four members appointed by the President. Such members shall be selected (1) from among private citizens of the United States who are widely recognized for their broad knowledge of or experience in, or for their profound interest in the arts; (2) so as to include practicing artists, civic cultural leaders, members of the museum profession, and others who are professionally engaged in the arts; and (3) so as collectively to provide an appropriate distribution of membership among the major art fields including music, drama, dance, folk art, literature, architecture and allied arts, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, radio and television. The President is requested in the making of such appointments to give consideration to such recommendations as may from time to time be submitted to him by leading national organizations in these fields.

(b) Each member of the Council shall hold office for a term of six years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (2) the terms of the members first taking office shall expire, as designated by the President at the time of appointment, eight at the end of the second year, eight at the end of the fourth year, and eight at the end of the sixth year after the date of enactment of this Act. No member of the Council shall be eligible for reappointment during the two-year period following the expiration of his term.

(c) Any vacancy in the Council shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

Chairman of the Council

SEC. 104. (a) The President shall appoint, by and with the advice and consent of the Senate, a Chairman of the Council (hereinafter referred to as the "Chairman") from among private citizens of the United States who are widely recognized for their knowledge of or experience in, or for their profound interest in, the arts. In addition, he shall advise the President with respect to the activities of the Federal Government in the arts. If a vacancy occurs in the Office of the Chairman the President shall fill the vacancy in the same manner in which the original appointment was made.

(b) The Chairman shall serve at the pleasure of the President, but not in excess of eight consecutive years, and shall not be eligible for reappointment during the four-year period following the expiration of his last period of service as Chairman. The provisions of this subsection shall apply to any person appointed to fill a vacancy in the Office of the Chairman.

(c) The Chairman shall receive compensation at the rate of $21,000 per annum, and shall be reimbursed for travel and subsistence expenses incurred by him while away from his home or regular place of business in accordance with the Travel Expense Act of 1949, as amended (5 U.S.C. 836–842), and the Standardized Government Travel Regulations.

Duties and responsibilities of the Council

SEC. 105. (a) The Council shall meet at the call of the Chairman but not less often than twice during each calendar year. Thirteen members of the Council shall constitute a quorum.

(b) The Council shall (1) recommend ways to maintain and increase the cultural resources of the United States, (2) propose methods to encourage private initiative in the arts, (3) advise and consult with the National Arts Foundation, and other local, State, and Federal departments and agencies, on methods by which to coordinate existing resources and facilities, and to foster artistic and cultural endeavors and the use of the arts, both nationally and internationally, in the best interests of our country, and (4) conduct studies and make recommendations with a view to formulating methods or ways by which creative activity and high standards and increased opportunities in the arts may be encouraged and promoted in the best interests of the Nation's artistic and cultural progress, and a greater appreciation and enjoyment of the arts by our citizens can be encouraged and developed.

(c) In selecting subjects to be studied pursuant to subsection (b) of this section, the Council (1) shall consider requests submitted to it by the Chairman of the National Arts Foundation, and the heads of departments and agencies of the Federal Government, and (2) may obtain the advice of any interested and qualified persons and organizations. In making its studies pursuant to such subsection, the Council may obtain assistance from such committees and panels as may be appointed by the Chairman from among those persons professionally qualified in the fields of art with which studies are concerned, who are recommended to him by the Council.

(d) Not later than ninety days after the end of each fiscal year, the Council shall submit to the President and the Congress an annual report setting forth its activities pursuant to subsection (b) of this section. In addition, the Council shall submit to the President reports and recommendations with respect to its activities at such time or times as the President shall request or the Council deems appropriate. The President shall transmit such recommendations as he may deem fit, together with his comments thereon, to the Congress.

Compensation of members of the Council

SEC. 106. Members of the Council, and persons appointed to assist the Council in making its studies, while attending meetings of the Council, or while engaged in duties related to such meetings, or while engaged in the conduct of studies authorized by this title, shall receive compensation at a rate to be fixed by the Chairman, but not exceeding $75 per diem and shall be paid travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

Staff of the Council

SEC. 107. (a) The Chairman is authorized to appoint, subject to the civil service laws, such secretarial, clerical, and other staff assistance as is necessary to enable the Chairman and the Council, and its special committees, to carry out their functions and duties, and to fix the compensation of persons so appointed in accordance with the Classification Act of 1949.

(b) The Chairman is authorized to procure in accordance with such policies as the Council shall from time to time prescribe, without regard to the civil service laws and the classification laws, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), but at rates for individuals not in excess of $75 a day.

Expenses of the Council

SEC. 108. There are hereby authorized to be appropriated to the Council such sums as may be necessary to carry out the purposes of this title.

General provision

SEC. 109. (a) This title shall not be deemed to invalidate any provision in any Act of Congress or Executive order vesting authority in the Commission of Fine Arts or any other statutory Federal advisory body.

(b) Nothing contained in this title shall be construed to authorize the Council to undertake any duty or responsibility which is the duty or responsibility of any other Federal advisory body established by law as of the date of enactment of this title.

TITLE II—NATIONAL ARTS FOUNDATION

SEC. 201. This title may be cited as the "National Arts Foundation Act of 1963".

Establishment of foundation

SEC. 202. Effective as of ninety days after the date of the establishment of the National Council on the Arts, there is hereby established in the executive branch of the Government an independent agency to be known as the National Arts Foundation (hereinafter referred to as the "Foundation").

Trustees of foundation

SEC. 203. (a) The Foundation shall be subject to the general supervision and policy direction of a Board of Trustees which shall consist of twenty-one members to be appointed by the President, by and with the advice and consent of the Senate. Such members shall be selected (1) from among private citizens of the United States who are widely recognized for their broad knowledge of or experience in, or for their profound interest in, the arts; (2) so as to include practicing artists, civic cultural leaders, members of the museum profession, and others who are professionally engaged in the arts; and (3) so as collectively to provide an appropriate distribution of membership among the major art fields listed in section 211(a) of this title. The President is requested in the making of such appointments to give consideration to such recommendations as may from time to time be submitted to him by leading national organizations in these fields and the National Council on the Arts.

(b) The term of office of each trustee of the Foundation shall be six years; except that the terms of the trustees first taking office after the enactment of this title shall expire, as designated by the President at the time of appointment, seven at the end of two years after the date of enactment of this title, seven at the end of four years after such date, and seven at the end of six years after such date. If a vacancy occurs in the term of office of a trustee, such vacancy shall be filled only for the unexpired portion of such term. Any person who has been a trustee of the Foundation for twelve or more consecutive years shall be ineligible for appointment during the two-year period following the termination of his duties as such a trustee.

(c) Any vacancy in the Foundation shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(d) A majority of the trustees of the Foundation shall constitute a quorum.

(e) The President shall call the first meeting of the trustees of the Foundation, at which the first order of business shall be the election of a Chairman and a Vice Chairman, who shall serve until two years after the date of enactment of this title. Thereafter each Chairman and Vice Chairman shall be elected for a term of four years in duration and each such election shall take place at the annual meeting occurring at the end of each such term. The Vice Chairman shall perform the duties of the Chairman in his absence. In case a vacancy occurs in the chairmanship or vice chairmanship, the Foundation shall elect an individual from among the trustees to fill such vacancy for the remainder of such term.

(f) The trustees of the Foundation shall meet at the call of the Chairman, but not less than four times each year. The Chairman shall also call a meeting whenever one-third of the trustees so request in writing. Each trustee shall be given notice, by registered mail mailed to his last known address of record not less than fifteen days

prior to any meeting, of the call of such meeting.

Director of Foundation

SEC. 204. (a) The Director of the Foundation shall be appointed by the President, by and with the advice and consent of the Senate. In the appointment of the Director the President is requested to give due consideration to any recommendations submitted to him by the Board of Trustees. The Director shall serve as an ex officio trustee of the Foundation. In addition, he shall be the chief executive officer of the Foundation. The Director shall receive compensation at the rate of $21,000 per annum and shall serve for a term of six years unless previously removed by the President.

(b) The Director may appoint, with the approval of the Board of Trustees, a Deputy Director, who shall perform such functions as the Director, with the approval of the trustees, may prescribe, and shall be Acting Director during the absence or disability of the Director. In the event of a vacancy in the office of the Director, the Deputy Director shall serve as Acting Director until the President shall fill such vacancy. The Deputy Director shall receive compensation at a rate not to exceed the scheduled rate of basic compensation provided for grade GS–18 in the Classification Act of 1949.

(c) The Director shall have general authority to carry out and execute the programs of the Foundation on a full-time, continuous basis, to recommend programs to the Foundation, and to discharge such other functions as the Foundation may delegate to him consistent with this title.

(d) The Director and the Deputy Director shall be reimbursed for travel and subsistence expenses incurred by them while away from their homes or regular places of business in accordance with the Travel Expense Act of 1949, as amended, and the Standardized Government Travel Regulations.

(e) The Director and the Deputy Director shall be appointed without regard to the civil service laws and regulations.

(f) The Director and the Deputy Director shall not engage in any other business, vocation, or employment than that of serving as Director or Deputy Director, or hold any office in, or act in any capacity for, any organization, agency, or institution with which the Foundation makes any contract or other arrangement under this Act.

Grants to groups and States

SEC. 205. (a)(1) The Foundation is authorized to establish and conduct a program of grants-in-aid in a manner consistent with the declaration of policy set forth in the National Arts and Cultural Development Act of 1963, from the funds appropriated to the Foundation or otherwise obtained pursuant to section 207(a) (3) or (4) of this title, to nonprofit professional groups (and nonprofit groups meeting professional standards or standards of authenticity) engaged in or concerned with the arts, for the purpose of enabling such groups to provide (1) productions which have substantial artistic and cultural significance, giving emphasis to American creativity, (2) productions irrespective of origin which are of significant merit and which, without such assistance, would otherwise be unavailable to our citizens in many areas of the country, (3) projects that will encourage and assist artists who are citizens or who have evidenced their intention to become citizens of the United States, (4) projects that will encourage and develop the appreciation and enjoyment of the arts by our citizens, and (5) other relevant projects including surveys, research, and planning in the arts. No portion of any moneys granted under this subsection shall be applied to the purchase, erection, preservation, or repair of any building or buildings, or for the purchase or rental of any lands.

(2) No payment may be made to any group under this section except upon application therefor which is submitted to the Foundation in accordance with regulations prescribed by the Foundation.

(3) The amount of any grants allotted to any group pursuant to this subsection shall not exceed 50 per centum of the total cost of such project or production, except that not more than 20 per centum of the funds appropriated to the Foundation for the purposes of this section for any fiscal year may be available for allotment by the Foundation in such fiscal year without regard to such limitation in the case of any group which submits evidence to the Foundation that it has attempted unsuccessfully to secure an amount of funds equal to the grant applied for by such groups, together with a statement of the proportion which any funds it has secured represent of the funds applied for by such group.

(4) Any group shall be eligible for financial assistance pursuant to this section only if (A) no part of its net earnings inures to the benefit of any private stockholder, or stockholders, or individual or individuals, and (B) donations to such group are allowable as a charitable contribution under the standards of subsection (c) of section 170 of the Internal Revenue Code of 1954.

(5) Except as otherwise provided in the second sentence of subsection (b)(3) of this section, the total amount appropriated to the Foundation for grants-in-aid to groups for any fiscal year shall be equal to the total amounts appropriated to the Foundation for grants-in-aid to States for such fiscal year.

(b)(1) The Foundation is authorized to establish and conduct a program of grants-in-aid, in a manner consistent with the declaration of policy set forth in the National Arts and Cultural Development Act of 1963, from the funds appropriated to the Foundation or otherwise obtained pursuant to section 207(a) (3) or (4) of this title, to assist the several States in supporting existing projects and productions which are making a significant public contribution in one or more of the arts, and in developing projects and productions in the arts in such a manner as will furnish adequate programs, facilities, and services in the arts to all the people and communities in each of the several States. No portion of any moneys granted under this subsection shall be applied to the purchase, erection, preservation, or repair of any building or buildings, or for the purchase or rental of any lands.

(2) In order to receive such assistance in any fiscal year, a State shall submit an application for such grants prior to the first day of such fiscal year and accompany such application with a plan which the Foundation finds—

(A) designates a State agency (hereinafter in this title referred to as the "State agency") as the sole agency for the administration of the State plan;

(B) provides that funds paid to the State under this title will be expended solely on projects and productions approved by the State agency which carry out one or more of the objectives of this title; and

(C) provides that the State agency will make such reports, in such form and containing such information, as the Foundation may from time to time require.

(3) Each State which has a plan approved by the Foundation in effect on the first day of the fiscal year beginning July 1, 1964, or any succeeding fiscal year, shall be entitled to a maximum allotment in any such fiscal year of an amount equal to half the total amount appropriated to the Foundation for the purposes of this section for such fiscal year divided by the total number of States. In the event that any sum is remaining out of the maximum allotment available for grants to each State in any fiscal year after all allotments are made to States with approved plans in effect on the first day of such fiscal year, the Foundation, in its discretion, may grant the aggregate of such remaining sums or any portion thereof to any group eligible for financial assistance under subsection (a) of this section or State agency for projects and productions which the Foundation finds will encourage the arts in areas where such assistance will be of value. In making grants to any group pursuant to this subsection, the Foundation shall require matching funds in accordance with the provisions of subsection (a)(3) of this section.

(4) The amount of any grants allotted to any State or State agency pursuant to this subsection for any project or production shall not exceed 50 per centum of the total cost of such project or production.

(c) Whenever the Foundation, after reasonable notice and opportunity for hearing to any group or State agency, finds that—

(1) any such group is not complying substantially with the provisions of this title;

(2) any such agency is not complying substantially with the terms and conditions of its State plan approved under this title; or

(3) any funds granted to such group or agency under this title have been diverted from the purposes for which they were allotted or paid

the Foundation shall immediately notify the Secretary of the Treasury and the group or State agency concerned that no further grants will be made under this title with respect to such group or State agency until there is no longer any default or failure to comply or the diversion has been corrected, or, if compliance or correction is impossible, until the group or State repays or arranges the repayment of the Federal funds which have been improperly diverted or expended.

Advisory committees, councils, or panels

SEC. 206. The Foundation may appoint persons other than trustees of the Foundation to committees, councils, or panels concerned with particular regions of the country or with particular aspects of the arts, or both, to advise and consult with the Foundation with respect to the duties of the Foundation and the projects and productions for which financial assistance is sought by groups and States. Such appointments shall be made without regard to the civil service laws and regulations.

Administrative powers and duties of the Foundation

SEC. 207. (a) The Foundation is authorized to—

(1) prescribe such rules and adopt such bylaws as it deems necessary to govern the manner of its operation and its organization and personnel, and to implement any of the provisions of the Act;

(2) make expenditures, and enter into contracts or other arrangements, as may be necessary for administering the provisions of this title, without regard to the provisions of section 3709 of the Revised Statutes (4 U.S.C. 5);

(3) acquire by loan or gift, and to hold and dispose of by sale, lease, or loan, real and personal property of all kinds necessary for, or resulting from, the exercise of authority granted by this title;

(4) receive and use funds or marked gifts or property donated by others, if such funds are donated without restriction other than that they be used in furtherance of one or more of the general purposes of the Foundation;

(5) accept and utilize the services of voluntary and uncompensated personnel;

(6) pay fees for and enter into contracts with persons for the performance of services required by the Foundation;

(7) pay to persons rendering services to the Foundation on an uncompensated basis or on a fee or contract basis, as provided in paragraphs (5) and (6) of this subsection,

travel and subsistence expenses while away from their homes or regular places of business in accordance with the Travel Expense Act of 1949, as amended, and the Standardized Government Travel Regulations; and

(8) maintain an office in the District of Columbia.

(b) The Foundation is authorized to procure assistance, as specified herein, from any department, agency, and instrumentality of the executive branch of the Government, or any independent agency of the United States, with the consent of the head thereof, and each such department, agency, or instrumentality is authorized to render such assistance to the Foundation by the donation or loan of employee services and by the donation or loan of supplies, office or building space, or other property, either on a reimbursable or nonreimbursable basis, upon request made by the Director or Deputy Director of the Foundation.

(c) The Foundation shall not itself produce or present any project or production.

(d) Not later than ninety days after the end of each fiscal year, the Foundation shall submit to the President and the Congress an annual report summarizing the activities of the Foundation and making such recommendations as it may deem appropriate.

Staff of the Foundation

SEC. 208. The Director shall, in accordance with such policies as the Foundation shall from time to time prescribe appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this title. Such appointments shall be made and such compensation shall be fixed in accordance with the provisions of the civil service laws and regulations and the Classification Act of 1949, as amended, except that the Director may, in accordance with such policies as the Foundation shall from time to time prescribe, employ such technical and professional personnel or personnel with experience in or relating to any of the arts, and fix their compensation without regard to such laws, as he may deem necessary for the discharge of the responsibilities of the Foundation under this title.

Compensation of the trustees of the Foundation and the members of its councils, committees, and panels

SEC. 209. The trustees of the Foundation, and the members of the councils, committees, and panels shall receive compensation at a rate to be fixed by the President in the case of the trustees, and by the Foundation in the case of the members, but not to exceed $75 for each day in which they are actually engaged in the business of the Foundation pursuant to authorization of the Foundation, and shall be allowed travel and subsistence expenses while away from their homes or regular places of business in accordance with the Travel Subsistence Act of 1949, as amended, and the Standardized Government Travel Regulations.

Appropriations

SEC. 210. (a) For the purpose of making grants authorized in section 205 of this title, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1964, such sum, not exceeding $5,000,000, and for each fiscal year thereafter such sum, not exceeding $10,000,000 annually, as the Congress may determine. The moneys appropriated to the Foundation shall remain available for expenditure for two years following the expiration of the fiscal year for which appropriated.

(b) Moneys received by the Foundation under section 207(a) (3) and (4) of this title, shall not be covered into the Treasury as miscellaneous receipts, but shall be kept in a special account, maintained by the Treasury Department, or kept by the Foundation in commercial banking institutions, or invested in securities eligible for trust funds in the District of Columbia, and shall be available to the Foundation for the purposes of this title.

(c) The Director shall determine any payments to be made under this title and certify to the Secretary of the Treasury the amounts thereof. Upon receipt of such certification, the Secretary of the Treasury shall, prior to audit or settlement by the General Accounting Office, pay in accordance with such certification. Sums allotted to any group or State for any fiscal year under this title and not transferred during that fiscal year shall remain available to such group or State for the same purposes for the next fiscal year in addition to the sums allotted for such next fiscal year.

(d) There are hereby authorized to be appropriated such sums as are necessary to administer the provisions of this title.

Definitions

SEC. 211. As used in this title—

(a) The term "the arts" means (1) the major art fields including music (instrumental and vocal), drama, dance, folk art, literature, architecture and allied fields, painting, sculpture, photography, graphic and craft arts, industrial design, costume and fashion design, motion pictures, television, and radio; and (2) the arts related to the presentation, performance, execution, and exhibition of such major art fields.

(b) The term "production" means plays (with or without music), ballet, dance and choral performances, concerts, recitals, operas, exhibitions, readings, motion pictures, radio, and television and any other activities involving the execution or rendition of the arts and meeting such standards as the Foundation may establish.

(c) The term "project" means programs organized by groups, States, and State agencies to carry out the purposes of this Act, including programs to foster American artistic creativity, to train artists, to commission works of art, and to develop and enhance knowledge and understanding of the arts.

(d) The term "group" includes any society, institution, organization, association, museum, or establishments, whether or not incorporated.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PELL. Mr. President, I thank the Senator from New York [Mr. JAVITS] very much for his too kind words. He has made a considerable sacrifice to be present today. I know of the work he devoted to the bill over the past years and I would like to point out that he provided much of the basic thinking that went into the legislation. That is true also of other Senators who have served on the Special Subcommittee on the Arts, each one of whom has contributed something in his own way.

The Senator from Texas [Mr. YARBOROUGH] has shown a great interest in this subject; so has the Senator from New Jersey [Mr. WILLIAMS]. The Senator from Pennsylvania [Mr. CLARK] has added his wisdom to our deliberations and the Foundation proposed stems from his original bill. I thank him, too, for his very generous words about me. The Senator from New York [Mr. JAVITS] has been the pioneer in these efforts over the longest period of time. I extend thanks also to the Senator from Vermont [Mr. PROUTY], for his good will and support. I should like to thank also the Senator from South Carolina [Mr. THURMOND] for his consideration in permitting the bill to be considered at this time, and for his help and generosity. Above all, I wish to pay tribute here to the Senator from Minnesota [Mr. HUMPHREY], the principal sponsor of this excellent legislation. He has inspired us all with his imaginative foresight and his leadership.

Mr. JAVITS. Mr. President, I, too, would like to thank the Senator from South Carolina [Mr. THURMOND], who, if he had chosen to do so, could have made it much more difficult than he did to pass the bill. I have just told him personally, and I would like to tell him publicly, that personally I feel a great responsibility to the Senate, which I hope to discharge, with respect to the concerns which he expressed, quite sincerely and honestly, to the effect that the program may not be realized. We shall be very vigilant, especially with respect to the problems which he has pointed out.

Mr. THURMOND. I thank the distinguished Senator from Rhode Island and the distinguished Senator from New York for their kind remarks. Of course, I believe that the Federal Government has no jurisdiction in this field. Even if it did, I believe it would be unwise for it to enter the field. Furthermore, I do not believe we have the money to put into new programs. I believe the Federal Government should not inject itself into this field. I predict that as the years go by the costs will greatly increase. I believe the bill to be a mistake. I hope I will be proved wrong, and that my colleagues will be proved right.

Mr. PELL. I should also like to thank those who have helped to do all the work that was necessary to be done in getting the bill into shape and guiding it through the labyrinth through which it has had to pass. I thank particularly Stewart E. McClure, who has been my friend for many years and who has devoted himself to this task with tremendous dedication. I thank Livingston Biddle, my special assistant and a friend for almost 30 years, who did a great part of the work and the thinking that has gone into the bill. And I thank Sheila Schermerhorn Scott, who gave me so much help in connection with the similar bill that got through committee, but not through the Senate, in the last Congress.

Mr. JAVITS. I join the Senator in those tributes, and express my appreciation for the work all these individuals have done. We all realize the great usefulness of their work. I should like to add the name of Al Lesser, of my own staff, who worked with Mr. Biddle; also the name of Barbara Donald of August Heckscher's staff when Mr. Heckscher was at the White House. I believe that the name of Dick Goodwin should also be mentioned, as well as that of Arthur Schlesinger, Jr., and so many others who have done so much work on this project.

Mr. PELL. I should also like to extend our thanks to the chairman of the committee, the Senator from Alabama [Mr. HILL], who permitted hearings to be held on the bill at a crowded time in the schedule of the Senate and the committee, and did all he could to help bring

about consideration of the bill by the Senate.

Mr. JAVITS. I join the Senator in those remarks.

DISCONTINUANCE OF NO LONGER USEFUL GOVERNMENT PROGRAMS

Mr. PELL. Mr. President, an article by Eileen Shanahan which appeared in the New York Times on December 18, 1963 states that President Johnson is considering a budget control proposal aimed at discontinuing no longer useful Government programs.

This proposal contemplates terminating certain Federal programs after they have been in operation for 5 years, or if not terminating then thoroughly reviewing them to determine if they should be continued. This proposal is very similar in nature to that of S. 2114, introduced by my good friend and colleague, Senator EDMUND MUSKIE of Maine—a bill of which I am pleased to be a cosponsor.

I believe, Mr. President, that these two proposals are a real indication that President Johnson and Congress are deeply concerned with sound fiscal policies, and that every effort will be made to effectuate such policies. Should the President make this proposal a part of his budget message to Congress in January, I know it will receive the most careful consideration in the hearings that Senator MUSKIE, who has exhibited a rare skill and the highest degree of competence in proposing this and other far-sighted legislation, intends to hold on his similar bill on January 14–16, 1964.

I request that the New York Times articles I have referred to be placed in the RECORD at this point.

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

[From the New York Times, Dec. 18, 1963]

PRESIDENT WEIGHS A BUDGET CONTROL—HE CONSIDERS A PROPOSAL TO TERMINATE PROJECTS THAT OUTLIVE USEFULNESS

(By Eileen Shanahan)

WASHINGTON, December 17.—President Johnson is seriously considering a new budget control device aimed at terminating Government programs that have outlived their usefulness.

Officials say there is a good chance that he will recommend it to Congress as part of the budget in January.

The budget device, in its most radical form, would simply provide that certain Government programs would automatically terminate after 5 years, unless Congress took affirmative action to continue them. The President's proposal, if he makes it, is not expected to go quite that far.

Instead, it is considered likely he will propose that Government programs be subject to an intensive review after 5 years, perhaps by some sort of special commission with both Government and non-Government members.

The commission would be required to report whether or not it considered a program worth continuing. The benefits to the Nation would generally be weighed against the cost to taxpayers.

At the outset, the President may propose that the automatic review be extended only to new programs that he will recommend to Congress in the budget presentation in January. Foremost among these programs is expected to be a many-sided attack on poverty in the United States.

No firm decisions have yet been made on the so-called poverty package. But work on it has been given high priority by several Government agencies, including the Council of Economic Advisers, the Labor Department, and the Department of Health, Education, and Welfare.

STUDIES GALBRAITH PLAN

The package is expected to be a conglomeration of existing programs, proposals put forth by President Kennedy that remain unenacted, and one or two new items.

Some established programs and Kennedy administration proposals may be modified somewhat to focus more sharply on the prevention and alleviation of poverty. These are expected to include an expanded job training program, various educational proposals and expanded public assistance payments, particularly to benefit the children of unemployed workers.

Among the new antipoverty programs that President Johnson is seriously considering is one advanced just last week by John Kenneth Galbraith, the Harvard economist. He proposed an emergency program to improve educational facilities and the quality of teaching in a specially selected "worst 100 counties" of the Nation, as a means of preventing poverty in the next generation through education.

In his budget message, President Johnson is expected to try to convince the economy-minded Congress that the price of needed new programs is the abandonment of outmoded ones.

The budget may contain specific recommendations for ending or at least reducing some old Government assistance projects that are now considered of relatively little benefit, compared with their cost.

It is possible that Mr. Johnson may seek to match specific programs, identifying the termination of old ones as the means of finding the money to finance new ones.

For example, President Johnson may seek to terminate the program under which the Government pays farmers for undertaking erosion control and other conservation measures. Congress has refused to accept recommendations to reduce or end the program.

The idea of submitting all Government programs, or at least all new ones, to review after 5 years is aimed at relieving the fears of Congress that all Government spending projects inevitably become permanent.

President Johnson's advisers apparently believe that the automatic termination feature is undesirable because there would be a rush to qualify for the available payments in the 5th year, leading to waste.

PROPOSED REVISION OF THE RULES

Mr. CLARK. Mr. President, several days ago in the course of a debate with the distinguished junior Senator from Georgia [Mr. TALMADGE] about the desirability of calling up by motion and hopefully adopting, with an amendment, Senate Concurrent Resolution 1, I placed in the RECORD a list of Senators who previously served in the House of Representatives. The list was placed in the RECORD with the thought that it might rebut a comment made by the junior Senator from Georgia that Members of the Senate know nothing about the rules of the House, and that, therefore, a joint committee to investigate ways of reforming the Senate and House, including rules, practices, procedures, and floor action, would be a useless project. That was a contention of the Senator from Georgia with which I disagreed. I therefore placed in the RECORD the list of some 40 Members of the Senate who formerly served in the House.

Inadvertently, and through a grievous error, the name of the able senior Senator from New Jersey [Mr. CASE] was omitted from the list. Not only did the Senator from New Jersey serve with distinction in the House, but he was the cosponsor of an amendment which, had we been permitted to do so by our southern friends, we would have proposed to Senate Concurrent Resolution 1, had we ever been able to call it up on motion.

I wish to make this public apology for my inadvertence and to call the attention of Senators to the fact that there are 41, not 40, Members of the Senate who formerly served in the House of Representatives.

I do not know where one could find an equivalent body of experts, capable of advising our friends on the other side of the Capitol, as to the relatively few changes which they should make in their rules compared with the many changes which the Senate should make in its rules in order to make it possible for Congress to perform its constitutional responsibility.

RECESS SUBJECT TO CALL OF THE CHAIR

Mr. PELL. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and (at 11 o'clock and 54 minutes a.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 12 o'clock and 52 minutes p.m., when called to order by the Presiding Officer (Mr. INOUYE in the chair).

Mr. PASTORE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that further proceedings under the quorum call be rescinded.

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

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on December 18, 1963, the President had approved and signed the following acts:

S. 1533. An act to amend the act of July 24, 1956, granting a franchise to D.C. Transit System, Inc.; and

S.2054. An act to eliminate the maintenance by the District of Columbia of perpetual accounts for unclaimed moneys held in trust by the Government of the District of Columbia.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate a message from the President of the United States submitting the nomination of Rear Adm. John B. Colwell, U.S. Navy, for commands and

other duties determined by the President in the grade of vice admiral while so serving, which was referred to the Committee on Armed Services.

TAX REDUCTION LEGISLATION

Mr. METCALF. Mr. President, last month I received a letter from Mr. Donald C. Cook, president of the American Electric Power Co., Inc., which provides electric energy service to parts of Indiana, Kentucky, Michigan, Ohio, Tennessee, Virginia, and West Virginia. He urged early passage of the tax reduction bill, H.R. 8363.

Mr. Cook wrote that, as a result of the investment credit enacted last year, the American electric power system has been able to increase its capital expenditures and to put two rate reductions into effect in 1963.

His company is dedicated, he wrote, to furnishing service at rates as low as possible consonant with a fair return on investment.

Mr. President, I commend the American Electric Power Co. for its sound policy of passing on to ratepayers the benefits of tax reduction.

This policy contrasts sharply with that of the major private utility in my State, the Montana Power Co., which furnishes both gas and electricity. That company extracts from ratepayers the most exorbitant profit of any major electric utility. It, too, benefited from the investment credit enacted last year. But it did not pass those savings on to the ratepayer. Instead, the Montana Power Co. now seeks, through the Montana Railroad and Public Service Commission even higher rates from gas consumers.

Mr. President, I ask unanimous consent to insert, at this point in the RECORD, Mr. Cook's letter of November 11 to me.

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

AMERICAN ELECTRIC POWER CO., INC.,
New York, N.Y., November 11, 1963.

The Honorable LEE METCALF,
Senate of the United States,
Washington, D.C.

DEAR SENATOR METCALF: I am writing you to urge the importance of early passage—passage this year—of the tax reduction bill now under consideration by the Finance Committee, H.R. 8363.

I am president of American Electric Power Co. and its subsidiaries. The American electric power system provides electric energy service to parts of seven States—Indiana, Kentucky, Michigan, Ohio, Tennessee, Virginia, and West Virginia. We sell more electricity than any other investor-owned utility in the country. We are dedicated to furnishing our service at rates as low as possible consonant with a fair return on our investment. Low rates benefit our customers and also insure our faster growth. Growth gives rise to capital investment, and this in turn benefits our entire service area.

Taxes, which are the biggest operating expense of the American electric power system, are a major expense for all business. Taxes increase the fixed charges associated with plant investment. They increase prices, thereby restricting the potential market for goods and services, and this in turn restricts capital investment. A decrease in taxes has opposite effects. As a result of the investment credit enacted last year, the American electric power system has been able to increase its capital expenditures and to put two rate reductions into effect in 1963.

We need a substantial reduction in prices to stimulate the economy—to enlarge our markets both here and abroad through lowering prices and placing more money in the hands of domestic consumers, and to encourage both plant investment and risk taking. This will provide more jobs for our growing work force and counteract the elimination of jobs through automation.

The principal argument which has been advanced against the tax reduction is that it would increase the deficit. An attempt was made in the House to provide that the tax cut should not take effect unless the estimate of Government expenditures is not in excess of $97 billion for fiscal 1964 and $98 billion for fiscal 1965.

I too am in favor of rigorous control of Federal expenditures, and I hope that Congress will act accordingly. But I think it would be a grave mistake to make a ceiling on expenditures a condition precedent to a tax cut. There are too many unpredictables which can affect Government expenditures, such as developments in the field of international relations. And the enactment of a tax cut would in itself serve as a strong motivation to hold expenditures within prudent limits.

We not only need a tax cut, but we need it now. The tax reduction bill should be enacted this year. Action on the part of business and consumers which will stimulate the economy and which can be expected from the tax cut will not take place until the present uncertainty has been removed. We need such action soon to insure further expansion, rather than a contraction, of our economy.

Sincerely yours,

DONALD C. COOK,
President.

DISCLOSURE OF ASSETS BY MEMBERS OF CONGRESS

Mr. MORSE. Mr. President, on July 23, 1946, I submitted in the Senate a resolution to require all Members of the Senate to file with the Secretary of this body a statement of the amount and sources of all income and all dealings in securities during the preceding year.

Today, 17 years later, Congress has made no progress whatever in coming to grips with what has periodically embarrassed its membership; namely, the criticism by the American people of a Congress that demands standards of ethics in the executive and judicial branches that it is unwilling to apply to itself.

In 1946, Congress was embarrassed by revelations of speculation in the commodity markets by righ-ranking members of the Committees on Agriculture. There was a flurry of concern and anxiety; there was a great deal of criticism that a Member of Congress who had inside information on what was likely to happen to commodity prices could speculate in those markets. I took the view then that it was perfectly proper for a Member of Congress to have income outside his congressional salary; but that its source should be public, so the public could judge whether that Member was improperly influenced in exercising his judgment on the legislative issues.

Since that time, there have been frequent political storms over proved and alleged conflict of interest in the executive branch. Each time a nomination for high Federal office is submitted to the Senate, we go into the financial background of the nominee. More often than not he is obliged to dispose of private financial holdings before he is confirmed; at least those holdings are usually transferred to some kind of trusteeship such as that utilized in recent days by President and Mrs. Johnson.

But Congress has steadfastly refused to set any standard for itself. Congress has steadfastly maintained that safeguards against conflict of interest are applicable only to executive and judicial officials, despite the obvious truth that Members of Congress, because of their costs of running for election, are more susceptible to being influenced by money or the promise of money than either executive or judicial officials.

The double standard which Congress insists on for itself is one of the major reasons for the ill repute among the public we have apparently engendered. All the tearful television performances, all the tearful speeches on the floors of these Chambers swearing good faith, do not wash away the blot on the name of Congress that this double standard creates. Until the entire Congress, as an institution, cleans its own house and applies public disclosure rules to its own membership, the American people will be right to suspect that we have something to hide.

I am not moved by the cries that public disclosure of income will make second-class citizens of Members of Congress. No Member of Congress suggests that we are making second-class citizens out of persons nominated to the Cabinet when we require them to divest themselves of business holdings that they could enhance by their official acts. I do not know of any Member of Congress who thinks that the statutes to protect the public from conflicts of interest in the executive and judicial branches should be repealed, least of all on the ground that they make second-class citizens of any of those people.

Over the years I have expanded my own resolution to apply not only to Members of Congress, but to all persons receiving salaries from the Federal Government in excess of $10,000 and to each member, chairman, and officer of the Republican and Democratic National Committees. In one form or another, I have introduced this bill into every Congress since 1946. In the 88th Congress, it is S. 148.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the list of public disclosure bills I have sponsored since 1946 and also the text of Senate bill 148.

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

INCOME DISCLOSURE BILLS SPONSORED BY SENATOR WAYNE MORSE

Seventy-ninth Congress, second session (1946), Senate Resolution 306: Requiring Senators to file annual statements of income and financial transactions. Referred to Committee on Banking and Currency.

Eightieth Congress, first session (1947), Senate Resolution 31: Amending rules so as to require Senators to file annual statements of income and dealings in securities. Referred to Rules Committee.

Eightieth Congress, first session (1947), Senate Resolution 33: Requiring Senators to file annual statements of income and dealings in securities. Referred to Rules Committee.

Eightieth Congress, second session (1948), S. 2086: To require certain members of legislative, judicial, and executive branches of Government to file statements relating to amount and sources of income and dealings in securities and commodities. Referred to Rules Committee.

Eighty-first Congress, first session (1949), S. 109: To require certain members of legislative, judicial, and executive branches of the Government to file statements relating to amount and sources of income and dealings in securities and commodities. Referred to Rules Committee.

Eighty-second Congress, first session (1951), S. 561: To require certain members of the legislative, judicial, and executive branches of the Government to file statements relating to amount and sources of income and dealings in securities and commodities. Referred to Rules Committee.

Eighty-third Congress, first session (1953), S. 334: To require Members of Congress, certain other officers and employees of the United States, and certain officials of political parties to file statements disclosing the amount and sources of their incomes, the value of their assets, and their dealings in securities and commodities. Referred to Rules Committee.

Eighty-fourth Congress, first session (1955), S. 2747: To require Members of Congress, certain other officers and employees of the United States, and certain officials of political parties to file statements disclosing the amount and sources of their incomes, the value of their assets, and their dealings in securities and commodities. Referred to Rules Committee.

Eighty-fifth Congress, second session (1958), S. 3346: To require Members of Congress, certain other officers and employees of the United States, and certain officials of political parties to file statements disclosing the amount and sources of their incomes, the value of their assets, and their dealings in securities and commodities.

Eighty-sixth Congress, first session (1959), S. 1603: To require Members of Congress, certain other officers and employees of the United States, and certain officials of political parties to file statements disclosing the amount and sources of their incomes, the value of their assets, and their dealings in securities and commodities. Referred to Rules Committee.

Eighty-seventh Congress, first session (1961), S. 165: To require Members of Congress, certain other officers and employees of the United States, and certain officials of political parties to file statements disclosing the amount and sources of their incomes, the value of their assets, and their dealings in securities and commodities.

Eighty-eighth Congress, first session (1963), S. 148: To require Members of Congress, certain other officers and employees of the United States, and certain officials of political parties to file statements disclosing the amount and sources of their incomes, the value of their assets, and their dealings in securities and commodities. Referred to Rules Committee.

Be it enacted, etc., That each Member of the Senate and House of Representatives (including each Delegate and Resident Commissioner); each officer and employee of the United States who (1) receives a salary at a rate of $10,000 or more per annum or (2) holds a position of grade GS-15 or above, and each officer in the Armed Forces of the rank of colonel, or its equivalent, and above; and each member, chairman, or other officer of the national committee of a political party shall file annually with the Comptroller General a report containing a full and complete statement of—

(1) the amount and resources of all income and gifts (of $100 or more in money or value, or in the case of multiple gifts from one person, aggregating $100 or more in money or value) received by him or any person on his behalf during the preceding calendar year;

(2) the value of each asset held by or entrusted to him or by or to him and any other person and the amount of each liability owed by him, or by him together with any other person as of the close of the preceding year; and

(3) the amount and source of all contributions during the preceding calendar year to any person who received anything of value on his behalf or subject to his direction or control or who, with his acquiescence, makes payments for any liability or expense incurred by him.

SEC. 2. Each person required by the first section to file reports shall, in addition, file semiannually with the Comptroller General a report containing a full and complete statement of all dealings in securities or commodities by him, or by any person acting on his behalf or pursuant to his direction, during the preceding six-month period.

SEC. 3. (a) Except as provided in subsection (b), the reports required by the first section of this Act shall be filed not later than March 31 of each year; and the reports required by section 2 shall be filed not later than July 31 of each year for the six-month period ending June 30 of such year, and not later than January 31 of each year for the six-month period ending December 31 of the preceding year.

(b) In the case of any person required to file reports under this Act whose service terminates prior to the date prescribed by subsection (a) as the date for filing any report, such report shall be filed on the last day of such person's service, or on such later date, not more than three months after the termination of such service, as the Comptroller General may prescribe.

SEC. 4. The reports required by this Act shall be in such form and detail as the Comptroller General may prescribe. The Comptroller General may provide for the grouping of items of income, sources of income, assets, liabilities, and dealings in securities or commodities, when separate itemization is not feasible or not necessary for an accurate disclosure of a person's income, net worth, or dealings in securities, and commodities.

SEC. 5. Any person who willfully fails to file a report required by this Act or who willfully and knowingly files a false report shall be fined $2,000 or imprisoned for not more than five years, or both.

SEC. 6. (a) As used in this Act—

(1) The term "income" means gross income as defined in section 22(a) of the Internal Revenue Code.

(2) The term "security" means security as defined in section 2 of the Securities Act of 1933, as amended (U.S.C., title 15, sec. 77b).

(3) The term "commodity" means commodity as defined in section 2 of the Commodity Exchange Act, as amended (U.S.C., title 7, sec. 2).

(4) The term "dealings in securities or commodities" means any acquisition, holding, withholding, use, transfer, disposition, or other transaction involving any security or commodity.

(5) The term "person" includes an individual, partnership, trust, estate, association, corporation, or society.

(b) For the purposes of any report required by this Act, a person shall be considered to be a Member of the Senate or House of Representatives, an officer or employee of the United States and of the armed services as described in the first section of this Act, or a member, chairman, or other officer of the national committee of a political party, if he served (with or without compensation) in any such position during the period to be covered by such report, notwithstanding that his service may have terminated prior to December 31 of such calendar year.

SEC. 7. The Comptroller General shall have authority to issue, reissue, and amend rules and regulations governing the publication of reports, or any part of them. He shall prescribe fees to cover the cost of reproduction. In formulating such rules and regulations, he shall seek to maximize the availability of reports for purposes of informing the public and agencies and officials of the Federal and local governments, and to minimize use of such records for private purposes.

Mr. MORSE. Mr. President, in 1951, this proposal was endorsed in a message to Congress from President Harry Truman. He rightfully pointed out:

As a general rule, I do not like to see public officials, or any other particular group, subjected to rules and requirements which do not apply to the rest of the population. But at the same time, public office is a privilege, not a right. And people who accept the privilege of holding office in the Government, must of necessity expect that their entire conduct should be open to inspection by the people they are serving.

President Truman recommended, and I quote again from his message:

That the Congress promptly enact a statute which will require all full-time civilian Presidential appointees, including members of the Federal bench; all elected officers of the Federal Government, including Members of the Congress; and all other top officials and employees of the three branches of the Government—say those receiving salaries of $10,000 or more, plus flag and general officers of the armed services—to file annually a statement of their total income, including amounts over and above their Government salaries, and the sources of this outside income. Consideration should also be given to requiring other Government employees to file such statements if their outside income exceeds specified amount, perhaps $1,000 a year. Some items which are not ordinarily counted as income, such as gifts and loans, should be included in the statements filed under this statute. Penalties for willful violation of this statute should be equivalent to those for violation of the laws relating to the filing of income tax returns.

These statements when filed should be made accessible to the public.

It will be noted that the position taken by President Truman outlines, for the most part, the provisions of the bills that I have introduced year-after-year since 1946.

I heartily endorse the sentiments expressed in that message. My bill carries out President Truman's recommendation that public disclosure apply to people in all three branches of Government. My bill further requires that not only income but assets and dealings in securities and commodities be included in the disclosure. And as I have already noted, my bill includes the top officials of the political parties, too, because their impact on public policy also carries the possibility of conflict of interest.

Moreover, my bill would require officeholders to report for publication all donations to campaign funds or to funds of any kind maintained to defray expenses of office. Sources and amounts of campaign funds must be reported under existing law; but the terms of my bill would also require the reporting of contributions to political expense funds that often are maintained in nonelection

years and hence go unreported under existing law.

Many Members of Congress have already published some degree of information about their outside incomes and assets. I have no objection to that, but I think it is a rather meaningless gesture for the few of us who believe in public disclosure to take the step voluntarily, leaving secret all the incomes and assets of Members who for one reason or another do not favor public disclosure of their income and assets. Nevertheless, I shall, before I finish this speech, make a general statement and summary of my own assets and outside income.

As for me, once my bill or a similar bill becomes law, I shall file each year for public disclosure my Federal income tax return. I am not filing it as of now because I think the requirement should be a universal one, applicable to every public official whose position falls under the terms of my bill.

If only some officials disclose their Federal tax returns voluntarily, politics being what they are, their enemies in political opposition will endeavor to distort and misrepresent this or that item in the tax returns so disclosed.

However, if a public disclosure bill is passed requiring a full and uniform disclosure on the part of every public official covered by the bill, no unfair political advantage could be taken on any discriminatory basis as would be the case at the present time in respect to those who voluntarily disclose and those who do not disclose at all—although, Mr. President, today I am making a more complete disclosure than I believe any other Member of Congress has made to date with respect to his income and his assets.

Therefore, I stand ready and willing to make a public disclosure of all the details of my Federal income tax report, which is always prepared by a certified public accountant, whenever my public disclosure bill or any similar bill becomes the law of the land.

Until detailed disclosure is mandatory for all Members of Congress, the American public will have grounds to wonder why conflict-of-interest laws are not applied to Congress, when it is Congress that has applied them to the executive and judicial branches.

I hope the agitation in the press for this kind of law will continue. I hope the skepticism heaped upon Congress by the public will continue. Who watches the watchdog? The public. Who polices the policeman? No one but the American voter. Congress can and does watch and police the other branches for conflict of interest and unethical conduct. But Congress will never watch or police itself. Only the almighty voter can do that, and I include with him the American press.

Only the American public can raise the ethical standards of Congress. Public disclosure of the kind I am seeking does not even eliminate conflict of interest. It only reveals the possibility of such a conflict, leaving it to the voter to decide whether the conflict has influenced the official acts of the Congressman or Senator.

It is 17 years since conflict of interest within the Congress prompted me to propose a public disclosure measure. It is 12 years since a President of the United States called for such a measure to be applied to all branches of the Federal Government. How much longer will it be, and how many more scandals shall we have to suffer, before there will be action by the Congress? For how much longer will it be entirely up to the American press to ferret our financial conflict and wrongdoing among Members of Congress and our top-ranking employees, while the object of the questions ducks and hides, and finally weeps that he never meant any wrong?

There are many things wrong with Congress. Many things have brought Congress to a rather low estate in public opinion. The rejection of a mandatory public disclosure policy is one of the most important of these factors.

Since 1946, many Senators have offered modifications of this legislation. In 1957, Senator Langer, of North Dakota, introduced one such bill. In 1958, Senators Richard Neuberger and JOSEPH CLARK introduced one that included income disclosure among several provisions to raise congressional ethics. Also in 1958, Senator CASE, of New Jersey, introduced a bill that called for income disclosure, among other things.

Currently, there is pending in the Senate Rules Committee, in addition to my own S. 148, S. 1261, sponsored by Senators CASE, NEUBERGER, and CLARK. In addition to a requirement of disclosure of assets and income by all Federal personnel receiving salaries of $15,000 or more, it requires that communications from Members of Congress to regulatory agencies be made part of the written public record of the case involved. Their bill, S. 1261, also establishes an eight-member Commission on Legislative Standards, to conduct a thorough study of congressional conflict-of-interest problems and of the relations of Members of Congress with executive agencies.

Many versions of these bills have also been introduced in the other body in recent years.

I welcome these signs of added interest within the Congress for our reputation and well-being, though far more interest will have to develop if we are to enact any legislation. I am especially proud that the Morse public disclosure bill, which I have introduced repeatedly since 1946, has been the bellwether measure on this subject. I have spoken repeatedly in support of it, in and out of the Senate, but the Senate Rules Committee has shown little interest. It has dragged its heels even in respect to holding thorough hearings on the proposal. I have urged hearings on it time and time again.

Perhaps now that in late years more Senators are interesting themselves in this issue and introducing their own bills, we will eventually pass some much needed legislation. I sincerely hope so.

In the meantime, I shall continue to cooperate with authors of various versions of bills on public disclosure in the hope that a bill in some adequate form will win majority support.

The point is, however, that this is an old problem; the solution proposed for it is an old solution. I have presented the problem and proposed the solution to every Congress since 1946. I am sorry to read newspaper and magazine stories that leave the reader with the impression that this problem of conflict of interest within the Congress is just coming under study and that proposals that Members reveal their outside assets and income are some new "twist."

We have really been discouragingly slow to come to grips with the issue. Even now the public and the press would not have any interest in the subject were it not for the headline-making activities of one former Senate employee. I am not interested in making a scapegoat of one man, of seeing him pilloried with the idea that all the conflicts of interest within the Congress will be forgotten when his case is finished. The Rules Committee investigation into outside activities by Senate employees should be carried to its ultimate conclusion, and that includes everyone—Senators and Representatives—and anyone found guilty of wrongdoing should be punished, and their activities fully disclosed to the public.

But that must not be the end of the matter. If we let it be the end, then it will only be the end until some new scandal is uncovered. The issue itself will not be closed with this case unless Congress closes it by enacting legislation requiring disclosure of assets and income by all Federal employees, including Congressmen and Senators, who receive substantial Federal salaries. The people want it; the people are entitled to it. The Congress should respond to the people's wishes by passing the legislation.

Several Members of Congress in both Houses have in recent months disclosed their financial holdings in stocks and bonds and other property assets, although they have not given, to my knowledge, any detailed breakdown in connection with their income. Although in no case has there been presented a detailed accounting breakdown of assets, liabilities, and income, nevertheless, I think that the disclosures that these few Members of Congress have made have been salutary and helpful to the cause of seeking the passage of the full public disclosure bill.

In my own case, my property assets of this date are as follows:

First. Real estate: (a) Eugene, Oreg., farm, approximately 29 acres, estimated market value $200,000 to $250,000.

When Mrs. Morse and I bought this piece of property, in 1932, it was unimproved land and it was a considerable distance from the Eugene city limits. However, since that time the metropolitan area of Eugene has so expanded that one boundary line of our Eugene farm property is now the city limits.

This total piece of property, when I bought it as vacant land, cost less than $3,000 for 20 acres. Later I added other acres, so that the total investment in the real estate at the time of original purchase was less than $10,000. The city has grown around three sides of the farm. Although during the 30-year period that we have owned this property we have spent a considerable amount of money improving it by building on it our home and barns in 1936, connecting it with city

water mains, fencing it, and making many other farm improvements on it, there is no doubt about the fact that its proximity to the Eugene city limits has resulted in a substantial increase in its value over the years. I believe we have an investment, including cost of improvements, of between $60,000 and $70,000 in the property, not including property taxes during the years of our ownership.

(b) Poolesville, Md., farm. At Poolesville, Md. Mrs. Morse and I own a farm of 74 acres. We purchased it in January 1957, for $24,500. Its assessed value is $15,060. Since purchasing it, we have improved it by making substantial investments in the main house remodeling, plus tenant house repairs, land clearance, construction of two cattle barns, new fencing, and numerous other farm improvements. Our total investment in the farm is approximately $50,000, not including real property taxes paid during the period of our ownership. The estimated market value of the property on today's market is probably about $75,000.

Second. Mortgages: Another of our assets is mortgages held on farm property amounting to $17,500.

Third. Stocks and bonds: As to stocks, bonds, and securities, all we own are five shares at $10 each, totaling $50 of stock interest in the Portland Reporter newspaper of Portland, Oreg.

Fourth. Bank savings: As to savings bank accounts, we have on deposit in the savings department of the Riggs National Bank, Dupont Circle branch, Washington, D.C., $10,000.

Fifth. Accounts receivable: Payments receivable on credit sales of livestock and personal loans amount to $5,700.

Sixth. Accounts payable: None except the usual monthly bills for rent, food, and living incidentals which are due and paid monthly.

Seventh. Livestock: It is very difficult to estimate with absolute exactness the value of the group of assets we own which are in the form of livestock. Over the many years that I have raised horses and cattle, which have been my major livestock interests, I have built up a herd of Devon beef cattle which is recognized as one of the prize herds of the breed. I also always keep a few high quality saddle horses. In addition to cattle and horses, I usually have other farm animals, consisting of a few hogs, sheep, and poultry. Listing my livestock assets at the present time, I have on my Eugene, Oreg., and my Poolesville, Md., farms a total of 200 heads of Devon cattle, including yearlings and calves.

I should point out that during this past year in the Poolesville area I operated 675 acres, but outside of the 74 acres the land was rented, not owned. If it became necessary to place this herd of cattle on the market for quick sale, it is my estimate that it would probably sell at an average of $200 a head, or $40,000. I would hope to do even better than that amount. Some of the animals, particularly the top show animals, are worth much more than that but, on the other hand, the calves and yearlings would sell for much less and the producing females, which consist of the bulk of the herd, would probably average $200.

At the present time I own only four saddle horses and only two of them are young top horses. The old stallion is now 20 years old and our old brood mare is now 19. Of course, these two horses are of practically no market value but they are priceless from the standpoint of their sentimental value. I would estimate that the four horses would bring a total market price of $800.

In addition, we have three ponies, only two of which could be sold for any price at all, and that maximum price would be $100 each. The third pony is really a member of the family, being 32 years old. We have owned her for 30 years. It was on this pony that each of our three daughters learned to ride, and now we have the emotional thrill of teaching our grandchildren to ride on the same pony their mothers learned to ride on.

At the Poolesville, Md., farm we have a small flock of eight registered Oxford sheep, which we might be able to sell if we had to for $25 each, or a total of $200. We also keep a few hogs each year for butchering, and with the hog market being what it is at the present time, I would guess that the four feeder hogs we now have might be worth $25 apiece for a total of $100. Our poultry flock of about 100 birds would probably market for about $150.

Eighth. Farm equipment: Another block of substantial assets we have is the farm machinery and equipment which we have on our two farms, consisting of such farm items as three tractors, farm truck, hay baler, rake, plows, wagons, small grain combine, grass seeder, grain drill, fertilizer spreaders and mowers. In addition, there should be included saddles, bridles, horse carts and buggies, and the many other farm equipment items that are usually on auctioneers' sales announcements listed as tools, appliances, barn equipment, and items too numerous to mention. This grouping of personal farm equipment items would probably bring at a farm auction between $15,000 and $20,000.

Ninth. Household items: Our household personal property located in our Eugene, Oreg., home and our rented apartment in Washington, D.C., probably would bring on the market $10,000 maximum.

Tenth. Motor vehicles: We also own two automobiles—a 1963 Nash Rambler station wagon and a 1961 Ford Fairlane sedan. Their trade-in value on a new car I guess would be in the neighborhood of $1,000 for the Rambler and $500 for the Ford.

Eleventh. Insurance policies: The only other material assets that I personally possess are my life insurance policies. However, they are straight life insurance policies which, of course, will be left to Mrs. Morse and members of my family as beneficiaries. These policies carry a small cash value in case some emergency might make it necessary to turn them in, but I do not contemplate such an eventuality. I think their cash turn-in value would be in the neighborhood of $7,500.

In addition, I hold a Federal term insurance life insurance policy available to members of the Senate and Federal employees in the amount of $20,000. I am advised by the Senate financial clerk that its minimum cash value is $5,000.

In addition, I have kept up-to-date payments on the Federal civil service retirement pension program.

My public disclosure bill calls for a listing by a public official covered by the bill to not only assets but also income. My income for 1962 was as follows:

1. Senate salary	$22,500.00
2. Honorariums from lectures	10,364.01
3. Service as impartial chairman of National Electrical Benefit Fund of the National Employees Benefit Board	5,000.00
4. Interest	432.00
5. Gross farm income	27,512.61
6. Other (official travel allowance, Portland, Oreg., Senate office allowance, U.S. Senate communications allowance)	3,439.28
Total	69,247.90
Less:	
Farm operation expense, depreciation allowance, Senate cost-of-living allowance, official travel, additional Senate office expense personally paid (newsletter expense, communications expense), Federal income tax withheld	59,662.28
Net	9,585.62

With reference to the additional Senate office expense personally paid, I plow a great deal of money into operating my Senate office, because the Senate appropriation does not begin to pay for the expenses of my office. People would be surprised at how much I pay out a month for telephone messages and telegrams over and above the amount the Federal Government makes available to a Senator.

I think the foregoing covers all my material assets, but I have some incorporeal assets which I am proud to list and which are much more valuable to me than material things.

For example, I possess the treasure of an understanding and wonderfully helpful wife who has put up with me for 39 years. We, in turn, have a precious family of three lovely daughters, three grand sons-in-law, and four grandparent spoiling grandchildren. God's endowment upon us of such a family makes us rich in human values, which in turn make material values of little account.

In addition, I enjoy the priceless wealth in the form of the trust placed in me by the wonderful people of my State. Four times they have sent me to the Senate. Their repeated confidence in and trustful reliance upon my service to their interests in the Senate is the most valuable compensation I could possibly receive. The many true friends and warm personal supporters I have made during my many years in academic and political life fill to bulging a storehouse of incorporeal human values which in comparison makes corporeal possessions insignificant.

I am privileged to file this accounting of my worldly goods in keeping with the spirit and intent of my public disclosure bill, S. 148.

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

The PRESIDING OFFICER (Mr. BREWSTER in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

COLOMBIA REFUSES RECOGNITION OF MILITARY REGIMES IN HONDURAS AND THE DOMINICAN REPUBLIC

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD an article which appeared in the Washington Post of yesterday entitled "Colombian Recognition Denied Coup Regimes."

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

COLOMBIAN RECOGNITION DENIED COUP REGIMES

BOGOTÁ, December 18.—Colombia announced today it would refuse to recognize the regimes that were established after military coups in Honduras and the Dominican Republic.

The United States extended recognition to the two countries earlier this week.

Today's announcement by President Guillermo Leon Valencia said recognition of the two governments would be tantamount to support for military coups.

Valencia said President Kennedy had confined Alliance for Progress aid to democratically established governments. Valencia warned yesterday that Colombia would not "march at the side of the United States" if the Alliance proved to be a failure.

Neighboring Venezuela is continuing its policy of refusing to recognize governments put in power by force.

Mr. MORSE. Mr. President, the article shows, as I warned some days ago, that many friendly democratic governments in Latin America are greatly concerned by U.S. recognition of the Dominican Republic's military junta and the military dictatorship of Honduras.

I said then, and repeat now, that it was a grievous mistake. It is a sad blot on the foreign policy history of the United States, because this refusal on the part of the democratic government of Colombia—and other governments in Latin America are also withholding recognition—to recognize the Dominican Republic is a clear demonstration of my warning, as chairman of the Subcommittee on Latin American Affairs, of the fears of democratic leaders in Latin America.

Why in the world the powerful Government of the United States should recognize the military dictatorships, and thereby weaken our best friends in Latin America, I will never be able to understand. Recognition has been granted. I hope that my Government does not proceed now to give economic and military aid to these military dictatorships. Let us not fool ourselves about the facade of the Dominican Republic. The group of stooges that can form a commission in the Dominican Republic are naught but the hirelings of the military junta that controls the country. We must not give aid to them, and we must not give aid to Honduras.

Recognition is one thing—and that was bad enough—but aid would be shocking to our friends throughout Latin America.

The position of the United States must be that there can be no economic intercourse, no military cooperation, until both those countries restore constitutional democratic government, such as existed before the overthrow. That is the test of the good faith of the United States. This voice will continue to be raised, not only here, but in this hemisphere, in opposition to any policy of doing business with military juntas that have destroyed the freedom of constitutional government.

SUPPLEMENTAL APPROPRIATIONS FOR CERTAIN ACTIVITIES OF DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, 1964

Mr. PASTORE. Mr. President, there is at the desk House Joint Resolution 875, making supplemental appropriations for certain activities of the Department of Health, Education, and Welfare, 1964. I ask unanimous consent that this supplemental appropriation measure be considered by the Senate at this time.

The PRESIDING OFFICER (Mr. INOUYE in the chair). Is there objection to the request for the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution (H.J. Res. 875) making supplemental appropriations for certain activities of the Department of Health, Education, and Welfare related to mental retardation, and for other purposes, for the fiscal year ending June 30, 1964, which had been reported from the Committee on Appropriations with an amendment, which was read, as follows:

On page 4, after line 15, to insert:

"OFFICE OF EDUCATION PAYMENTS TO SCHOOL DISTRICTS

"For an additional amount for 'Payments to school districts', $216,204,000."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. PASTORE. Mr. President, I shall explain this measure.

First, I ask unanimous consent that pages 1 and 2 of the report be printed at this point in the RECORD, in explanation of the first part of this joint resolution.

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

The Committee on Appropriations, to which was referred the joint resolution (H.J. Res. 875) making supplemental appropriations for certain activities of the Department of Health, Education, and Welfare related to mental retardation, and for other purposes, for the fiscal year ending June 30, 1964, report the same to the Senate with various amendments and present herewith information relative to the changes made.

Amount of House joint resolution as passed House	$41,886,000
Amount of increase by Senate committee	216,204,000
Amount of joint resolution as reported to the Senate	258,090,000
Amount of estimates, 1964	41,886,000
The joint resolution as reported to the Senate: Over the estimates for 1964	216,204,000

The resolution as passed by the House contained six items for supplemental appropriations, all of which relate to the comprehensive program to combat mental retardation authorized by two recently enacted laws, the maternal and child health and mental retardation planning amendments of 1963, Public Law 88-156, and the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, Public Law 88-164. The estimates were allowed in full by the House, and the committee recommends approval in the same amounts.

Account	Positions	Amount
Educational improvement for the handicapped	20	$11,685,000
Chronic diseases and health of the aged	6	2,277,000
Hospital construction activities	11	5,049,000
Grants for construction of health research facilities		6,000,000
Grants for maternal and child welfare		16,500,000
Salaries and expenses, Children's Bureau	60	375,000
Total	97	41,886,000

The committee also recommends one additional item, $216,204,000, for "Payments to school districts," as outlined below.

Mr. PASTORE. Mr. President, this item of $41,886,000 is required for the new mental retardation program which has to do with mentally retarded children and adults.

Part 2 is for $216,204,000, which has been added for the operating phase of the impacted areas bill. Unless this amount is appropriated, I understand that many of the communities will be hard pressed to continue the education of the children who live in the areas which are impacted because of governmental activities.

Mr. MORSE. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield.

Mr. MORSE. I verify what the Senator from Rhode Island has said; and, as chairman of the Subcommittee on Education, of the Committee on Labor and Public Welfare, I assure him that I have received many communications in regard to this matter, as another member of the committee, the Senator from West Virginia [Mr. RANDOLPH] can verify.

As we know, the Vocational Education Act, which recently was passed by Congress and was signed by the President, provides for the vocational education program. But until that program is established many of the communities will be out of funds. Furthermore, there is the problem of making it possible for them to plan for their future expenses.

If ever there was before the Senate an emergency appropriation item affecting education, this is it.

Mr. DIRKSEN. Mr. President, will the Senator from Rhode Island yield?

Mr. PASTORE. I yield to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, as this supplemental appropriation measure

came to the committee, it called for only $41 million-plus, to support the mental retardation activities, did it not?

Mr. PASTORE. That is correct.

Mr. DIRKSEN. It is the purpose of the committee, I believe, to add an appropriation of $216 million for impacted school districts.

Mr. PASTORE. That is correct.

Mr. DIRKSEN. So, Mr. President, this measure will make appropriations for only those two items.

Mr. PASTORE. That is correct.

The committee was very amenable in regard to adding other items—such as the milk item, in which the Senator from Wisconsin is interested; an item for the scholarship loan program, which is in dire need of funds; and also an item for the medical school and dental school construction program, together with scholarship money. But the committee has been advised that if the bill is encumbered beyond the original provisions passed by the House, in all likelihood the bill might be sent to the committee and would not pass until after the return of Congress in January. We felt that, in spite of the omission, the $216 million for aid to the impacted areas is so pressing and so urgent that we decided to add that item. We did not go beyond that.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. PROXMIRE. Mr. President, I have been thinking seriously of offering another amendment to this bill. I deeply appreciate the quandary in which the committee finds itself. The amendment I propose does not concern itself with a future contingency. The school milk program was cut back on December 1—and I emphasize the words "cut back"—by 2 percent. Educational leaders in every State of the Union were notified they would have to cut the program, and that the Federal Government reimbursements would be cut 2 percent, and they were in fact cut 2 percent.

That means that either children will not get milk or the States will have to pay more for it. I believe that all Senators on both sides of the aisle and all Representatives on both sides of the aisle know that this is a good program. It is not an agricultural program. It is a program for providing milk for schoolchildren who need it. Inasmuch as we have a vast surplus of milk, it is disgraceful not to provide for a constructive school milk program. I cannot think of any thing more insane than to provide that milk go into surplus when children want it and cannot get it.

This is the situation at the present time. I have discussed this question with the majority whip, the Senator from Minnesota [Mr. HUMPHREY], and he agrees with me. He pressed the amendment in the Appropriations Committee last October and November, and I supported him on it. We were defeated because we did not have the information at the time, but the Appropriations Committee members thought the Department of Agriculture had enough money to meet Federal obligations under the program. It is clear that if we do not add this kind of amendment for the rest of this year and part of January, at the very least, schoolchildren will not get the milk they need. When we have the vast milk surplus we have, this is ridiculous.

I have been importuned by the leadership on both sides of the aisle not to press the amendment because they say, it would kill the bill. I do not wish to kill the aid to impacted areas program; and I do not wish to kill the mental retardation program.

The conflict places me in a difficult position. I should like to ask for the advice of the Senator from Rhode Island [Mr. PASTORE] and the Senator from Minnesota [Mr. HUMPHREY] at the very minimum, I wish to get a firm commitment that they will use their strong influence to see that in the next supplemental bill that comes along they will do everything they can to obtain the appropriation about which I have spoken.

Mr. PASTORE. So far as I am concerned, I am prepared today to give to the Senator from Wisconsin a gilt-edged commitment. After all, who wishes to keep milk away from school children? No one will do that. We are met with a situation in which, because of the timing involved, we are caught in the position that if the bill is encumbered, an objection will be raised in the House and the bill will go to committee. Then nothing will happen in relation to the bill until the first of next year.

As chairman of the Subcommittee on Supplementals and Deficiencies, I assure the Senator from Wisconsin that he can bet his bottom dollar that if I am handling the bill, the milk fund will be in it.

Mr. HUMPHREY. I wish to assure the Senator from Wisconsin that when the Senator from Rhode Island makes a commitment, every possible assurance has been given. The Senator also knows that the committee itself is basically in sympathy with the objective of the amendment of the Senator. I met with the Senator from Wisconsin a short time ago. He came to my office so that we could discuss the matter. We had hoped we might be able to include the amendment. But, after talking with the distinguished chairman of the subcommittee, the Senator from Rhode Island [Mr. PASTORE], it was clear that the amendment might jeopardize some of the important items in the bill, such as the mental retardation program and the aid for school districts in impacted areas. We do not wish to do that. We do not want that to happen.

So I would encourage the Senator from Wisconsin, who has done a great job of fighting for the school milk program, to withdraw his amendment. I was a cosponsor with him on that amendment and I asked to join with him on it. We will press it in January. The supplemental bill will be in the Senate during the second week in January, and I am sure we shall succeed in our efforts at that time.

Mr. PROXMIRE. I thank the distinguished assistant majority leader. I believe the course he has proposed is wise. I know how he and the overwhelming majority of Senators feel. As I have stated before, this program should be continued, and that Congress should provide all the funds necessary to provide a school milk program which our schoolchildren need, want, and should have, especially when there is such a vast milk surplus going to waste.

The PRESIDING OFFICER. The joint resolution (H.J. Res. 875) is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the joint resolution.

The amendment was ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall it pass?

The joint resolution (H.J. Res. 875) was passed.

Mr. HUMPHREY. I move that the vote by which the joint resolution was passed be reconsidered.

Mr. PROXMIRE. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

MAIL-ORDER GUNS

Mrs. SMITH. Mr. President, an outstanding series of articles by Miss Josephine Ripley, Washington correspondent of the Christian Science Monitor, on mail-order guns has very appropriately been placed in the CONGRESSIONAL RECORD by the senior Senator from Connecticut [Mr. DODD].

The Christian Science Monitor's nine-article exposé of mail-order guns, which began on October 26, 1963, concluded with an editorial entitled "Murder by Mail Order," published on November 19, 1963, 3 days before the assassination of the late President John F. Kennedy. I ask unanimous consent to have that editorial and later articles by Miss Ripley in the December 3, 1963, and December 16, 1963, issues of the Christian Science Monitor placed in the RECORD at this point.

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

[From the Christian Science Monitor, Nov. 19, 1963]

MURDER BY MAIL ORDER

Congress has been handed an anti-weapon-weapon with which to crack down on crime, crime made easy through the wide open sale of mail-order hand guns.

This weapon is in the form of a new bill introduced by Senator THOMAS J. DODD, Democrat, of Connecticut, and now before the Senate Commerce Committee.

The committee so far has taken no action on this legislation which would crack down on "murder by mail order," as it has been called, through an amendment to the Federal Firearms Act.

If passed and enforced, it would keep mail-order guns out of the hands of trigger-happy juveniles, criminals, mental defec-

tives and others who use the anonymity of this type of purchase as a means of obtaining firearms.

To the extent that these guns have contributed to the Nation's crime wave—and the Monitor's series of articles on mail-order guns has shown they have—enactment of the Dodd bill would be an important crime deterrent.

Not that guns are the only weapons used by the criminal, or that this bill pretends to offer a complete solution to the firearms problem.

But it would help by requiring all purchasers of mail-order guns to furnish a sworn affidavit as to age and criminal record, if any. It would also require firearms dealers and manufacturers to notify express companies in writing whenever these guns are being shipped in interstate commerce.

It is not a tough bill, probably not tough enough to suit many.

It does not attempt to point up the glaring inadequacy of many State and local laws over firearms, or their lack of uniformity. It does not call for gun registration or for the fingerprinting of purchasers of guns.

It is minimum legislation, but it is realistic legislation, the only kind which stands any chance of passage. The Federal Firearms Act has been amended only once since its passage in 1939, so strong is the opposition to firearms controls.

The Dodd bill avoids this opposition by concentrating only on unscrupulous gun merchants. It would infringe in no way on the right of law-abiding citizens to possess firearms for purposes of defense or what is called sport.

It has the support of the National Rifle Association of America and other influential organizations, as well as law enforcement authorities across the Nation.

The legislation is deserving of—and needs—support, encouragement and a vigorous public push to spur Congress to action.

[From the Christian Science Monitor, Dec. 3, 1963]

MAIL-ORDER GUNS

(By Josephine Ripley)

Four days after the Christian Science Monitor's editorial urging enactment of stronger laws to curb and control the sale of guns, the imperativeness of such legislation was thrust home under dreadful circumstances.

This editorial was published at the conclusion of a series of nine articles pointing out the lack of effective and enforcible Federal legislation covering the sale and possession of weapons and the chaotic disunity between States on firearms laws.

This lack spawned what is known today as the mail-order gun, a method of gun purchase that makes it possible for almost anyone to buy a gun without the knowledge of authorities, even though the purchaser may be a minor, an enemy of the Government, a mentally confused person, or a criminal.

Such people have bought these guns; they have used them in holdups and crimes. Lee Harvey Oswald, of Dallas, purchased an Italian military rifle in just this way—by mail order.

He signed a fictitious name to his mail order, had the gun sent to a Dallas post office box. No one checked his statements or investigated this purchase, the purpose of it, and the need for the weapon until the Federal Bureau of Investigation traced the murder weapon back to a sporting goods, mail-order firm in Chicago—after it had been used, so the FBI reports, in the assassination of a President of the United States.

Laws alone will not stop crime or killings, to be sure. But there can be no excuse for inviting such acts by making the purchase and possession of guns easy—for almost anyone.

A congressional investigation subcommittee spent 2 years probing into the mire that surrounds much of this kind of mail-order business.

After the conclusion of that investigation, Chairman Senator DODD, Democrat, of Connecticut, termed the mail-order gun business "a national scandal of growing proportions." He went even further, saying: "We uncovered a situation that has been described as 'murder by mail order,' and I feel our findings conclusively prove the need for amendment of the Federal Firearms Act."

It is an astonishing fact, now obvious, that the public in general has no idea how lax are the laws of the land and the laws of the 50 States governing the sale and possession of guns.

Only 21 States and the District of Columbia require dealers to obtain licenses to sell handguns at retail. Only seven States require a permit to purchase a gun. Only seven States and the District of Columbia require a waiting period between purchase and delivery.

Only in New York State is a license required to possess a handgun. Only in Hawaii must guns be registered. Only in South Carolina is it against the law to sell a gun.

The national Government has only two laws governing firearms. Both were passed long ago—following the gangsterism of the 1920's. They are mild, compared to the restrictive laws governing possession of weapons in practically all of the other major nations of the world.

U.S. laws are aimed at control of machine-guns and sawed-off shotguns, the popular weapons of that day. It required that these weapons be registered with the Treasury Department which is charged with enforcing the act.

But this law—passed under the guise of a revenue act—defined firearms in such a manner as to exclude pistols, revolvers, and most rifles from this minimum control.

Shotguns and rifles may be sold freely not only to dealers and manufacturers, as would be expected, but to private individuals provided they have not been convicted of a crime punishable by imprisonment of more than one year, or are under indictment for such a crime, or are fugitives from justice.

No one filling out a mail-order gun form with these questions—a form which today is not checked by local authorities and which is not made out under oath—is likely to say he has no right to a weapon.

A strong and insistent opponent of further gun regulations is the National Rifle Association of America and the powerful munitions industry.

They contend that any laws which would infringe on the right of citizens to keep and bear arms would be unconstitutional. The Constitution states that "A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed."

This is recognized by all. There is no move to restrict the sportsman, the hunter, the genuine gun collector, or any reputable individual who wants a gun for self-defense, from the ownership of such weapon.

Regulation is not aimed at them, officials insist, but the Constitution does not make it unlawful to regulate the conditions under which citizens may keep and bear arms. Nor would reasonable restrictions put gun dealers out of business.

The only people who should be put out of business, if possible, are criminals or those in whose hands a gun would be a dangerous weapon. Of course crime and shootings would not cease with stricter gun laws, but they would help.

Members of Congress need to know how their constituents feel on this subject. If the majority of the people of this country feel stronger laws are needed, as a Gallup poll of a few years ago indicated, they should speak out now.

[From the Christian Science Monitor, Dec. 16, 1963]

THE RIGHT TO BEAR ARMS

(By Josephine Ripley)

Critics who oppose closing the loopholes in the Nation's firearms laws to prevent that all-too-easy acquisition of guns by juveniles, the mentally disturbed, and those with criminal records, do so mainly on two arguments:

That it is unconstitutional to deprive citizens of the right to bear arms.

That any legislation, weak or strong, will take guns out of the hands of law-abiding citizens and not keep them out of the hands of criminals who, they say, will get them anyway, whatever the law.

What does the Constitution say? In the second amendment, it is stated that: "A well-regulated militia being necessary for the security of a free state, the right of the people to keep and bear arms, shall not be infringed."

This amendment was framed in colonial days and became a part of the Constitution in 1791. In other words, it was designed to apply at a time when the principal weapons of the day were guns—not nuclear bombs.

The U.S. Supreme Court on several occasions has ruled that there is no violation of the Constitution in the regulation of guns providing this does not interfere with the continuation of a well-regulated militia.

When the constitutionality of the National Firearms Act of 1934 was challenged in the courts (*U.S.* v. *Miller*, 307 U.S. 174, 1939), the Court stressed the point that the second amendment applied to the militia.

In the absence of the showing of any reasonable relationship between the regulation of weapons under the National Firearms Act and the maintenance of a well-regulated militia, the Court ruled that there was no violation of the second amendment.

In another case, challenging regulation of guns by States, the Court pointed out that the second amendment does not give any right to the citizens to bear arms, but merely states that such a right shall not be infringed by Congress.

Again, the Court said the purpose of the amendment—the preservation of a well-regulated militia—must be considered in applying the amendment.

There is no proposal to take guns out of the hands of the law-abiding citizen. Neither the Dodd bill nor the Scott bill, now under consideration by the Senate Commerce Committee, would restrict ownership of guns, except in the case of juveniles, the mentally unbalanced, and those with a criminal record.

Hunters, sportsmen, gun collectors, and law-abiding citizens who want a gun for protection, would be as free as ever to buy and own one.

This right is not questioned. Nor is it claimed by proponents of this gun legislation that it will eliminate crime, any more than a police force does.

And it is true, of course, that criminals who want weapons will find them, one way or another. But why make it easy for them to do so? Mail-order guns today are almost as readily available as a bar of candy.

In South Carolina, which prohibits the ownership of pistols and revolvers, mail-order guns are reported flowing freely into the State by railway express. Lee Harvey Oswald, in Texas, purchased his Italian-made Mannlicher-Carcano rifle from a mail-order firm in Chicago.

Well, argue critics, guns are not the only weapons used in crime and killing. "What about cars? No one is proposing to abolish cars because some people are injured or killed in automobile accidents."

That is true, but it is also true that cars are registered and drivers must have licenses.

Many people are urging Congress to adopt far stiffer firearms regulations than now proposed—regulations more in keeping with the laws in most other major nations of the world.

In Australia, Ireland, Israel, Great Britain, Sweden, and New Zealand, for instance, a license is required to obtain a pistol or revolver. One thing that led to Lee Oswald's disenchantment with Soviet Russia—by his own witness—was that he couldn't own a rifle.

Many letters call for the registration of guns here and the licensing of individuals who purchase them. The Justice Department, in giving its opinion on the Dodd bill, proposed that the mail ordering of guns in interstate commerce be stopped completely.

Nothing of this kind is contemplated however, and even the moderate Dodd bill, as amended, is under fire by the National Rifle Association which objects to the authentication of mail-order gun purchase affidavits by police authorities.

Such affidavits otherwise would be certified merely by notaries.

Members of Congress are always under heavy pressure from gun manufacturers who abound in Eastern States, from dealers and pawnbrokers in all States, and from the millions of hunters and sportsmen who insist that any legislation threatens their right to possess a gun.

It is hard for an elected official to withstand these arguments unles he hears from people on the other side too.

Mrs. SMITH. Mr. President, the series exposed the shocking growth of the mail-order gun business, by which guns are purchased by mail order and delivered to individuals by railway express—thus circumventing the postal laws against the mailing of guns to individuals other than dealers.

A gun, Miss Ripley said in her series, may be purchased today almost as easily as a tube of toothpaste. Mail-order guns have gone to juveniles, criminals, and mental defectives. Police officials around the country told a congressional investigating committee that the easy availability of these guns has contributed to the Nation's upsurge in crime.

J. Edgar Hoover, FBI Director, said only last June that "the easy accessibility of firearms is a significant factor in murders committed in the United States today."

Miss Ripley's series performed a needed public service in bringing this dangerous situation to public attention—and is a brilliant chapter in her long record of outstanding and distinguished reporting.

CONGRESS MUST PROVIDE FOR FUTURE HIGHWAY DEVELOPMENT

Mr. RANDOLPH. Mr. President, the House of Representatives yesterday passed H.R. 8853, a bill to authorize the Secretary of Commerce, in cooperation with the State highway departments, to make a comprehensive study of the needs of the Federal-Aid Highway System, including the National System of Interstate and Defense Highways, after 1972.

As Members of the Senate know, the Federal-Aid Highway Act of 1956, as amended, provides that the highway trust fund and the program for the completion of the Interstate System will come to an end on October 1, 1972, with the last apportionment of funds to the States scheduled for the summer of 1969.

In order to maintain continuity of planning for our highway needs after 1972, we must begin at an early time to lay the foundations for policy decisions by the Congress. H.R. 8853 would provide for a comprehensive study and the submission of a report to the Congress not later than January 1, 1967, on the basis of which the Congress could then make its deliberations regarding future highway planning.

The House of Representatives is to be commended for its expeditious action on this important matter, and though there is not time remaining for Senate action during this session of the Congress, I take this occasion to give assurance that the Subcommittee on Public Roads of the Senate Committee on Public Works will give early consideration to the measure in the 2d session of the 88th Congress.

A MEMORIAL TRIBUTE TO JOHN F. KENNEDY

Mr. MUNDT. Mr. President, recently I have received a copy of a most moving tribute to our late President John F. Kennedy. Delivered by Pastor H. Clarence Johnson to the Kiwanis Club of Ortonville, Minn., on November 26, it was also delivered as a Thanksgiving Day message in Tabor and Grace Lutheran Churches in Strandburg and La Bolt, S. Dak., on November 28.

This is a most eloquent memorial tribute to President John F. Kennedy.

I ask unanimous consent that the memorial tribute be printed in the RECORD.

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

No one speaks in these days or even thinks—in these days of mourning, these days of grief, and even in these days of a shared sense of guilt for the taking of a life. The life of a person whose only object in life was to live for the welfare of his country and for the benefit of humanity.

One cannot help but have all of his thoughts, and all of his speaking, colored by the somberness and the sobriety of these days through which we have passed. I suppose that if it were not for the fact that during these days that I was in the process of preparing a talk for the Kiwanians at Ortonville, which I had opportunity to deliver on Tuesday, I do not know whether this particular message would be my Thanksgiving message to you or not.

But, I've searched my heart and soul these days asking the question—when one thinks of the very sordid nature of the crime that has been committed in a civilized nation one cannot help ask—for what shall we be thankful and render thanks to God? And then, one cannot help but allow the thoughts to begin to gather, and then the answer begins to come. And in the middle of this answer that comes to us is the image of a man. The image of a man whose life will likely mark the pages of history, comparable perhaps, to men like George Washington and Abraham Lincoln.

And, I would give thanks today for some of the ideals, as well as the accomplishments, of President John Kennedy. I would give thanks, first of all, for the faith of this man: A faith which he didn't carry about offensively—ever. A faith which he didn't hold up as something to be cherished over and above the faith of other men. But a faith to which he constantly bore witness, unashamed. But with it all, a faith that lacked bigotry.

Here was a man that, it seems to me, was born for the hour. Not for the time in history when division was the order of the day. Not for the time in the development of our country when, almost of necessity, there had to be the springing up and the growth of diverse groups of religions, almost religious factions, as it were. Religious elements of every kind spring forth in a new and fertile ground of liberty that we have known in these United States. It could hardly be otherwise for when those who left their home countries to seek a land where they might have their liberty, and worship God according to the dictates of their consciences, it could hardly be otherwise. The very rigor of these people meant that they would give birth to independence. And, I suppose it's true, I'm sure it's true, that in no nation have there been as many expressions of various kinds of a faith of people as we have found under the name of Christendom in this country. This is not the day in which we live.

And here, it seems to me, a man of firm faith and loyalty to his own particular church, nevertheless, personifies the ecumenical age in which we live. This is the day when men do not look for their religious convictions to divide. But the age in which, into which you and I have been ushered, together with this great leader who met his untimely death, is a day when we look for our religious convictions to unite; to bring together, and to make whole.

Along with this I think, then, of President Kennedy's, shall we say, fraternalism, with the proper connotations to that word. A man who indeed wanted to be brother not only to his countrymen, but to all the peoples of the whole wide world. He was thinking first and foremost, of the general well being of all people. Treating mankind, applying in his relationship the Golden Rule toward all of us.

In the next place, I thank God for the fidelity of this man: For his faithfulness to what was reiterated again by President Johnson yesterday—the American dream. (Incidentally, I want to say here that anything I say that sounds like President Johnson's message yesterday is purely coincidental because these notes were written before I listened to him yesterday. And, as a matter of fact, in its essence delivered at the Kiwanis Club Tuesday.) I said, I thank God for the faithfulness, the fidelity of our martyred President, to the American dream. This man had caught the vision of what was in the heart and in the mind, which it couldn't realize fully how it would develop, and how it would unfold, and how it would grow, and finally blossom into its fullness, when they framed the Constitution of these United States. When they put in words something like this—that this Nation was to stand for the inalienable rights to life, liberty, and pursuit of happiness of all mankind.

Here was a man who saw within such a dream, who found in it, a challenge to which to dedicate his life. Just written lines can often very conveniently be tucked away in the closed chapters of history and not come into vital meaning in the expression of the life of a society. That which could happen to the Constitution of the United States, that it could become and be thought of only as written sacred words—just as we have sometimes been guilty of in the church, of thinking of our Bible only as sacred written words—and almost untouchable as far as full application in the lives of men.

I see in his fidelity, also, his vision of putting into living practice the meaning of those words that were once written in tne Constitution. We have to grant that there is, that there is a time when we can only progress by stages. Maybe it's always true,

and it was certainly true at the time of the writing of the Constitution of our country.

I just discovered this past week, in paging through some history pages, that a surprising thing happened at the time when the Constitution was framed. In setting up the form of government, in setting up a representative type of government, in the South where the slaves were found, only two-thirds of those slaves were counted in the census. In other words, as I understand it, what was actually done—if their particular community would have a hundred slaves only 66 of them would have to be counted in the census. And so, in a sense, one-third of them were completely and entirely forgotten. It was necessary that the North had to settle for this kind of a halfway satisfying proposition in order to get the new Nation underway. And with this, there was also an agreement passed that there would be no law that would be passed the first 20 years prohibiting the importing of more slaves.

Just as President Kennedy expressed himself in his beautiful inaugural address—that he gave at the time of his inauguration when he challenged America to at least begin toward the goal that he envisioned—so we must recognize that our forefathers realized then that theirs was only a beginning; and that there is an ideal in the American system that we're always reaching, we're always progressing, we're always growing toward that goal of which we dream and for which we pray.

We can also say such things as this about our martyred President—we can thank God for his fortitude. For few men, it seems to me, have had the energy, and the ambition, and determination, that he displayed. But there is another phase to this gratitude that ought to be ours today. And that is that John Kennedy does not stand alone today expressing himself, in a way, and now giving us memories, in a way, for which we shall be very grateful.

There is a counterpart to this, and this is—I thank God today for the American people. I thank God for the oneness of the American people in a crisis. All of the free world, as well as all of humanity, could not but recognize the unity that actually exists among this generation today and with this unity a beauty and a dignity, I do not know how else to describe my impression. We can get good impressions today of what goes on—through the medium of television and radio. In this scene that so many of us witnessed in the grief, and the sorrow, and the mourning, of a nation, in which we all participated; the attendance, as if we were there in person, almost, at the burial service. This is something for which we thank God today.

In epitomizing this, for some strange reason, there was in the White House a young wife of a President who, by the way, as far as I know was unknown a few years ago. But now she has risen to a place where she shall never be forgotten. She shall be recognized for meeting a situation with beauty of character, and poise, and dignity, and honor, and, if you please, nobility. It did not spring from a particular line of kings such as was thought necessary at one stage in history in the world, if there was to be that kind of womanhood demonstrated. But, here is one who had come, we hardly know from where, who now stood to mourn and to play her role; for it's necessary at times, even in sorrow and grief, to be strong enough to play the role that has fallen upon our shoulders. I think we shall have to agree and thank God that there is this kind of character present in our society today. When it is possible for such character to be generated and borne through the years in which we have lived, then I see there is great hope—despite the shame that we feel today—there is great hope for America.

One could also see the things that are to be regretted and grieved, such things as are still present in our society—such things as the hostility bred in an Oswald. Or, what to me is equally serious, the anarchy and lawlessness in a Rubenstein. But perhaps these—these dark spots only tend to set in bold relief the reality of the glorious age in which God has called us to live.

There is then, a third place. Besides thanking God for the ideals of our former President, and the character of today's generation of people in this country, I would like to observe, also, that I thank God for a new partnership that I see in church and state. Now, please note, I did not say union of church and state—for that American ideal, the American dream, will best be fulfilled if church and state stand separate. But, the fact that we believe that we have been called to be separate identities does not mean that we cannot stand strong and God-like in the partnership that we must seek to establish as a nation. Together, the church and state. The one representing temporal society, and then the other representing the eternal kingdom of God. Neither is to rule or subdue the other, or to be either embarrassed or reluctant to walk together down the unfolding pages of American life—as we saw in our hour of grief, effective, beautiful. May we seek, friends, to see in this tragic hour some of the hopeful things that God would have us see.

I want to close by saying two things. That is, first of all, one of the problems that I had as I was thinking about preparing this talk, I couldn't remember who I voted for in the last election. And, I can't. I know I voted for Roosevelt, once or twice, I know I voted for Eisenhower. But for some strange reason, I cannot recall when I went into that wonderful place of privacy that we have in the American life—the voting booth—I can't remember what I finally decided, as to what side to place the X. I guess I shall never know. And I say that for this reason, that I hope that there has been no gleaming on the part of anybody there's politics in my thinking today. And I have tried to leave this particular—in fact, we have a glorious way of balancing the conservative and the liberal that we certainly want to cherish, and want to keep. And I wouldn't want to predict—I made a little prediction in my own mind that, sometime when I'm not in the pulpit I'm going to pass it on to some of you—of what I think is going to happen in the next few months, or few years.

Of course, politics is only an instrument to the shared life in the American way. And so, we may debate, and we may argue, and we may tussle, with the problem of what is the greatest way, the rights of future pages of American history. But, it is wonderful to know that we stand united as a people.

God will bless such a people and use such a generation. Amen.

ON SCHOOL PRAYER AND BIBLE READING

Mr. HARTKE. Mr. President, ever since the Supreme Court decisions of last June concerning Bible reading and prayer in the public schools, I have been receiving letter after letter from constituents taking issue with the decision and asking often, "What can you do about it?" Doubtless the other Members of this body have had the same experience.

At the time, 2 days after the decision, I introduced a simple resolution, Senate Resolution 164, asserting that it is the sense of the Senate that any public school system may provide time for "prayerful meditation if no public official prescribes or recites the prayer which is offered," and that such a practice is deemed proper under the first amendment to the Constitution. I would hope that this resolution may receive a favorable report from the Committee on the Judiciary and be enacted during this Congress.

In the meantime, there has been a great deal of confusion in the minds of the public concerning just what the Supreme Court did or did not say. One of the best brief expositions of the facts in this matter, and one whose reading should clarify the issues for many people, appeared as an editorial in the Indianapolis Star last Sunday.

Mr. President, I ask unanimous consent to have the editorial, entitled "The Court Said 'No Law,'" printed in the RECORD.

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

THE COURT SAID "NO LAW"

Many questions are being asked as to just what the U.S. Supreme Court said about prayer and Bible reading in public schools.

There isn't space to publish the Court's opinion, which is lengthy. But some of the questions being asked can be answered flatly. And perhaps it would be helpful, even at the risk of oversimplification, to summarize the Court's finding in brief form.

Does the Court decision give the State a right to tell schools they can't worship God? No, it does not. The Court is quite specific in saying that a State cannot have a law which in any way inhibits religion or religious practices.

Did the Court say atheism is permitted to be taught in school but not Christianity? No, it said nothing of the kind. The Court clearly states that it has not prohibited teaching about religion in courses on history, literature, and such.

What, then, did the Court say? As briefly as possible, it said this:

A State may not by law require religious exercises in the schools. The Court held that reading from the Bible without comment in opening exercises is unquestionably a religious exercise, and in the cases being reviewed was intended by the State to be such. Following the Bible reading with the Lord's Prayer confirms the fact that it is a religious exercise.

The fact that individual students are permitted to be absent from the exercises, or to decline to participate if present, does not change the Court's opinion that required religious exercises are in themselves unconstitutional.

There is a difference of view as to whether the Court's decision has ruled out Bible reading or prayer conducted by an individual school, or an individual teacher. Some lawyers think it has, others that it has not. The Court's opinion says that "the exercises and the law requiring them" violate the Constitution. This could be interpreted to mean that any public school religious exercise, on any basis, is forbidden.

However, the opening paragraph of the Court's opinion stipulates that the issues are presented to the Court "in the context of State action requiring that schools begin each day with readings from the Bible." This could mean that the entire opinion must be read in that context, which would leave unsettled the question of what one teacher may do on his own initiative, or what one school or one school system may do, in the absence of requirements laid down by State action.

The gist of what the Court has said, as we read it, is that a State may not make a law either requiring or prohibiting a religious exercise.

WHY NOT TREAT THE CATTLE INDUSTRY AS WELL AS COFFEE?

Mr. HRUSKA. Mr. President, last May the Senate gave its advise and consent to the International Coffee Agreement, a multilateral treaty designed to stabilize world coffee prices through the regulation of the international trade in coffee, worldwide. Soon, probably next month, we shall be asked to approve legislation already passed by the House, H.R. 8864, implementing this agreement. The proposed implementation involves the delegation of authority to the Executive for two types of controls to be imposed on all imports of coffee into the United States. First, we would impose quotas—quantitative limitations which could not be exceeded—on the imports of coffee from nonmember countries. The purpose of that is to keep world coffee surpluses out of our markets and thereby strengthen the prices for the coffee from member countries of the International Coffee Organization. Second, we would require a certificate of origin on each shipment of coffee imported into the United States. That requirement is for the purpose of policing the quotas.

Mr. President, my object today is to inquire why it is that the coffee producers of foreign countries receive such favored treatment while the cattle industry, an important and vital segment of our own American economy, is denied similar action.

During the past year imports of beef have mounted and U.S. cattle prices have collapsed. Repeatedly, some of us have called for international agreements to regulate imports of beef in order to stabilize prices. I have introduced a bill, S. 2168, providing for just such an agreement. Every day my mail is full of letters from cattle producers and cattle feeders, asking that limits be placed on the quantities of beef imported.

In short, what our cattle industry is asking for with respect to beef, is exactly the same thing we are in process of giving to the coffee industry—an international agreement regulating the international trade in the commodity for the purpose of stabilizing the price, with quotas on imports to implement the provisions of the agreement.

Why the discrimination? What does coffee have that we do not have?

Have coffee prices collapsed? So, too, have cattle prices. Are coffee quotas needed to stabilize the market? So, also, we believe, are quotas on imported beef.

During the hearings before the Senate Foreign Relations Committee last spring it was argued by the State Department spokesmen that the agreement was necessary because of the drastic fall in the price of coffee. Coffee had fallen by 50 percent or more in price since 1954.

That is true as far as it goes, but it is a rather deceptive way to describe it. During the war coffee prices were controlled as were most other prices, and in 1945 the annual average price of Brazil "Santos 4's" was 13.6 cents a pound. By 1954 that price had climbed to 78.3 cents a pound, an increase of no less than 475 percent in 9 years. Thereafter, it is true that it declined fairly steadily, and in 1962 averaged 34.4 cents a pound. That is a decline of more than 50 percent from the peak, but it is still 2½ times their wartime level.

There was a day when the price of cattle was above the price of coffee. In 1945 choice steers in Chicago averaged 16 cents a pound, compared with 13.6 cents a pound for Brazilian coffee delivered in New York. Since the war cattle prices have risen some, naturally, but not on anything like the skyrocketing path of coffee prices. Cattle prices have averaged as high as $35 or $36 a hundred—in 1951—have mostly stayed in the range between $25 and $30. Most recently, in November of 1963, they have fallen to $23.51, the lowest November average price since the end of OPA ceilings in 1946, with the exception of a single year. In November of 1962 choice steers in Chicago averaged $30.13; since then they have fallen 22 percent within a single 12-month span.

If coffee is in distress, at 34 cents a pound, then certainly cattle are in distress at 23½ cents a pound.

Throughout the hearing on the Coffee Agreement and the debate in both the House and the Senate, it has been made abundantly clear that the whole purpose is to stabilize the price of coffee and at least put a floor under it. The Presidential message urging House enactment of the implementing legislation stated:

> The purpose of the agreement, which I fully endorse, is to check the disastrous decline in coffee prices that began in 1955, by holding a floor under these prices at the general level prevailing in 1962, and to bring stability to coffee markets by preventing major fluctuations in price.

The report on the agreement itself by the Committee on Foreign Relations said:

> The main purpose of the agreement is to prevent a further decline in the world price of coffee which has dropped more than 50 percent since 1954, the year of the alltime highest price. To this end, the agreement establishes quotas for exporting countries and binds importing countries to limit their purchases of coffee from countries not parties to the agreement.

If this agreement succeeds in stopping any further decline in coffee prices, the benefit, of course, will accrue almost entirely to Brazil, Colombia, and other Latin American and African countries, the principal coffee-producing countries. If prices are maintained and pushed upward, the cost will fall heavily on the American housewife, since this country is the importer of more than 50 percent of the total coffee imported throughout the world.

That is the kind of international agreement that is heavily backed by the administration. As the distinguished Senator from Arkansas [Mr. FULBRIGHT], the chairman of the Senate Foreign Relations Committee, pointed out during the course of the hearing before his committee:

> It seems to me to make an argument that this agreement is in the interest of the consumers is something less than frank. It is really in the interests of our national foreign policy, isn't it? * * * It is in the interest of our foreign policy like our foreign aid bill.

If such an international agreement, establishing export quotas in order to help the price, is justifiable for coffee, why is it not justifiable for cattle and beef? Is not sauce for the goose also sauce for the gander?

In previous statements in the Senate I have called attention to the alarming increase in imports of beef, and their depressing effect on cattle prices. Imports of beef increased more than 3½ times between 1957 and 1962, and apparently imports in 1963 will be at least 20 percent higher than last year. This problem is discussed at length in my statement beginning on page 17835 of the RECORD for September 24 of this year. At that time I introduced S. 2168, calling upon the administration to initiate negotiations promptly for an international agreement on cattle and beef under the provisions of section 204 of the Agricultural Act of 1956. By the terms of such an agreement it would be possible to establish limits on the quantities of beef and cattle permitted to be imported to this country, in order to stabilize our domestic price levels.

Mr. President, why should there be such reluctance on the part of our administration to proceed with such a necessary safeguard? Other countries are not reluctant about insisting on limits on the quantities of meat which may be shipped into their markets. In studies by the Department of Agriculture which I have referred to in my previous statements on this problem, it has been found that virtually every other major trading nation, except Canada and Australia, impose nontariff trade restrictions against a large part of their imports of livestock and meat.

Formerly, Great Britain was always considered the home of free trade, at least with respect to agricultural imports. Until recently, it was the largest importer of meat in the world. Now, even Britain seems to be moving in the opposite direction. It is beginning to limit imports of meat, both through the imposition of quotas on imports, and through the negotiation of what are called gentleman's agreements with exporting countries, by which those exporting countries impose quotas on their own exports.

Following is a quotation from a recent article in the magazine Foreign Agriculture by Mr. Raymond Ioanes, Administrator of the Foreign Agriculture Service:

> We also are interested in recent British actions to limit meat imports from non-Commonwealth sources. We are interested because of the effect of these British moves on the U.S. meat import situation and the effects on international trade policies generally.
>
> Both beef and pork are affected by the British actions. Under a gentleman's agreement established earlier this year, Argentina will limit exports of beef to the United Kingdom market in accordance with voluntary quotas. The quotas, though subject to periodic revision, are considered binding by both countries. Yugoslavia reduced meat shipments to the United Kingdom by about 35 percent this year. Yugoslavia's action was taken after the British Parliament showed increasing concern over unlimited imports entering the United Kingdom.
>
> Just a few days ago the United Kingdom established import quotas on bacon (Wiltshire sides) with seven supplying countries—

Denmark, Hungary, Ireland, the Netherlands, Poland, Sweden, and Yugoslavia—and established the quantity of British-produced bacon that is to be supplied. The shares of the market are to be established by a Bacon Market Council, composed of representatives of the participating governments under the United Kingdom chairman, assisted by necessary industry and trade advisers. The council also will allocate shipments from reserve supplies to satisfy unforeseen demand and to maintain price stability.

The British appear to be closing their doors somewhat on beef imports. The action is perhaps not so significant in its present form as was the termination of long-term meat supply contracts with Commonwealth countries which took place a few years ago. But the effect of the new action, particularly if it is extended to other exporting countries and a minimum import price feature added, could throw a greater trade burden on the remaining importing countries of the world.

The United States is, of course, the most important of these. A few years ago we took 26 percent of the world's trade in beef. Today, however, we take over 50 percent. We have replaced the United Kingdom as the world's leading beef importer. Obviously we are directly affected by any action which is taken to restrict exports to other markets of the world, such as the United Kingdom.

Mr. President, the ideal of a world where there are no trade barriers may be fine. The fact is that such a world is little more than a dream today. When other countries limit their imports of agricultural products, as the article I have just read states, it throws a greater trade burden on the remaining importing countries of the world, that is, chiefly on the United States. Then we have little choice except to provide similar protection for our own producers.

Under the provisions of the International Textile Agreement we placed quotas on imports of cotton textile products which threaten to disrupt market conditions. Under the provisions of the International Coffee Agreement, it is proposed that we shall impose quotas on imports and require certificates of origin in order to maintain the price of coffee for the benefit of coffee producers of other lands.

It is time to recognize the problems of the cattle industry, and proceed to give the same or some equally effective protection against the excessive imports of beef we have experienced in recent years, which have played such havoc with our domestic cattle markets.

NEGLECT OF TAX REFORM

Mr. DOUGLAS. Mr. President, the cause of tax reform is being unduly neglected, yet it is one of the most necessary causes before the Congress. Our tax system is filled with injustices which in the main overwhelmingly favor those in the upper income groups. Some of us have been trying to introduce a greater degree of justice in the current tax bill with indifferent success to date.

I am happy therefore to see the leading editorial in the New York Times for this morning urging the course of tax reform and an able letter to the Chicago Daily News for December 16 of Prof. Robert Eisner of Northwestern University and I ask unanimous consent that they may be printed in the RECORD.

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

[From the New York (N.Y.) Times, Dec. 20, 1963]

THE ECONOMY'S MISSING LINK

President Johnson's economic policy contains more promises than he can hope to achieve. He repeatedly emphasizes the need for thrift in the new Federal budget. At the same time he calls for an expansion in spending programs to meet "the unfilled needs of this Nation."

The President is also determined to keep the proposed budget deficit at or below the present level while continuing his demand for across-the-board tax reductions. Yet he has made no mention at all of tax reform, which is the one weapon that could help him to attain his conflicting objectives.

Mr. Johnson noted that the new budget cannot avoid an increase in built-in expenditures, including pay rises for military personnel and civilian Government workers, additional costs for servicing the national debt, higher outlays for space exploration, new costs for education. But this rise endangers the President's "compassionate program" for the aged, the sick, the unemployed. Without big cuts in outlays for defense or space or the farmers, Mr. Johnson cannot spend much more for necessary social services and at the same time hope to hold down the deficits.

The prospects for reduction in defense or agriculture are slim. Instead, the President seems to be counting on the rise in economic activity created by tax reductions to produce an immediate increase in tax receipts and limit the amount of the deficit. But this result may not occur. For it is now apparent that the tax structure is not the intolerable burden depicted by most economic authorities. Taxes even at present levels have failed to slow the current expansion and they are not even taking as large a bite out of personal incomes and corporate profits as might have been expected.

The reason seems to be that the loopholes in the tax structure are holding down collections. As long as these loopholes remain, there is no certainty that a higher level of business activity will generate the revenues needed to meet the increase in spending.

We applaud the President's ambitious objectives. We welcome his desire to cut out every dime of waste in Federal outlays, to go forward with new social welfare programs, to press for tax reductions. But we doubt that these policies alone can meet the needs of a growing population or balance the budget. Essential tax reform is the ingredient that the President must add to his list of economic pledges.

[From the Chicago (Ill.) Daily News, Dec. 16, 1963]

CHANGE IN TAX LAW OPPOSED

Attention has been called recently to a widespread practice of amending the tax laws to satisfy various individuals and special interests.

A salient illustration is what has been referred to as "an obscure provision" in the pending tax bill (H.R. 8363), involving treatment of the investment tax credit by regulatory agencies.

This obscure provision would, within the relatively near future, cost consumers as much as $1 billion annually. That amount would grow year by year, amounting to anywhere from $30 to $70 billion over the next 30 years.

Apparently at the behest of gas pipeline companies and in order to secure one supposedly key vote in the House Ways and Means Committee (by Congressman THOMPSON of Texas), the administration agreed some months ago to include in the current tax bill section 202(e), prohibiting Federal regulatory agencies, without the agreement of the regulated companies themselves, from "flowing through" to consumers any but a very minor portion of the annual benefits of the 1962 investment credit law.

If this provision becomes law, all Federal regulatory agencies will be prevented from exercising their administrative judgment in setting fair rate of return after taxes, plus the extra return of the investment credit. And inevitably State regulatory agencies would also be affected, so that users of gas, electricity, public transport and all other services of regulated companies throughout the country would soon be facing higher costs.

Unless the body politic can be informed and act effectively, this provision, like so many others engineered by special lobbies, will be enacted at great cost to the economy and the general public.

ROBERT EISNER,
Professor of Economics,
Northwestern University.

KREBIOZEN—SERIOUS CHARGES AGAINST THE FOOD AND DRUG ADMINISTRATION

Mr. DOUGLAS. Mr. President, I ask unanimous consent that the following article written by Mr. Oliver Starr, Jr., and published in the Gary, Ind., Post-Tribune of December 18, 1963, and which reports on the speech and report I made in the Senate on Krebiozen on December 6, be printed at this point in the RECORD.

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

[From the Gary (Ind.) Post-Tribune, Dec. 18, 1963]

STARR GAZING

(By Oliver Starr, Jr.)

If Krebiozen, the controversial cancer drug, ultimately receives a fair test, the day of Friday, December 6 may well be remembered as the turning point.

Krebiozen had come to its darkest hour as the Federal Food and Drug Administration had banned interstate shipment of the drug and was talking of pushing prosecution of its backers in Illinois.

Then Senator PAUL H. DOUGLAS, of Illinois, stood up in the U.S. Senate and leveled some of the most serious charges against the Federal Food and Drug Administration and the National Cancer Institute that have been heard against any Government agencies in recent years. Specifically he charged that the FDA had overlayed the graphs of spectrographic tests to give a deceptive result, and that the NCI had set "extremely harsh and severe" standards for reviewing 504 cases of patients treated with Krebiozen.

This was no spur-of-the-moment speech. DOUGLAS and his staff had been at work 3 months in gathering the evidence to be presented. DOUGLAS had three large display boards brought into the Senate Chamber for his speech, and also illustrated it with 4-by-6-foot enlargements of the FDA's spectrographic graphs. He told the Senate that he had been "shocked and surprised" by the FDA's September announcement that it had established that Krebiozen was only creatine, and therefore worthless in treating cancer.

The Illinois Senator said that he decided to launch his own probe because of his great respect for Dr. Ivy whose scientific research had gained him world renown, and because he [Senator DOUGLAS] had interviewed as many as 100 patients who have been treated with Krebiozen.

"Many of these patients have told me they were on the point of death from cancer until Krebiozen treatments arrested their decline."

"Knowing of the way the medical profession has often historically persecuted its pioneers and pathbreakers, I resolved to push on and to continue to ask for an honest test."

DOUGLAS appointed Dr. Miles H. Robinson, of Potomac, Md., to make an independent appraisal of the FDA and NCI findings. Robinson located two Illinois scientists, Dr. Scott Anderson and H. C. Clark, a chemist, both of whom had been conducting independent tests of Krebiozen over a number of years. They were joined by DOUGLAS' administrative assistant, Howard E. Shuman in drawing up the final report after 3 months of investigation.

They reported to Senator DOUGLAS:

That in 1951 the Abbott Laboratories had offered Dr. Durovic $1.6 million for 200,000 ampules of Krebiozen, and that the Lilly Research Laboratories made offers totaling at least $2 million for its formula and patent. Dr. Durovic told the investigators that he turned down the offers because he could not get the companies to agree on a ceiling price that would be charged to patients.

That the Food and Drug Administration "has been grievously biased, and that the claimed identity between Krebiozen and creatine definitely is mistaken." And that the "deceptive result" was obtained because the Food and Drug Administration did not squarely overlay the Krebiozen and creatine graphs, but dropped one graph 7½ percent below the other to obliterate the areas of maximum differences.

That the National Cancer Institute's committee of 24 cancer experts met in secret, refused to allow Dr. Ivy to appear before them and "imposed unduly harsh and severe standards of judgment upon Krebiozen which apparently they do not impose upon most, if any, of the other substances which they test." Many of the cases appeared to have been thrown out for reasons which were questionable or not adequately explained.

As a result of his investigation, DOUGLAS made five specific requests of the Senate:

1. That an appropriate Senate committee conduct an open investigation of the accuracy of the public statements made by the FDA and the NCI in regard to Krebiozen.

2. That an independent scientific investigation be made of Krebiozen and creatine to determine whether they are, as the FDA charges, identical.

3. That the case records of the 504 cases submitted by Dr. Ivy and Dr. Durovic be reexamined by neutral scientists.

4. That the FDA "retract the false statements it has made about Krebiozen and Dr. Ivy and Dr. Durovic and apologize to them for the reflections they have made upon their characters."

5. That the Department of Health, Education, and Welfare reply to DOUGLAS' letter in which he asked searching questions about the criteria used in appraising Krebiozen.

TWENTY-FIFTH ANNIVERSARY OF THE SMALLER BUSINESS ASSOCIATION OF NEW ENGLAND

Mr. SALTONSTALL. Mr. President, the bylaws of the Smaller Business Association of New England states that one of its goals is "to protect and promote the welfare of small business in New England and elsewhere." This provision accurately summarizes the efforts and achievements of this organization during the past 25 years.

Soon after the organization was established, the United States was confronted with problems of converting much of its economy to defense and later to war production. The Government found it to be easier to deal with a few large corporations rather than with a myriad of small firms. The Smaller Business Association of New England, better known as SBANE, worked with other groups to develop practical subcontracting methods which enabled small business to contribute significantly to the war effort.

In this connection, it did much to advance the formation of the Smaller War Plants Corporation. Many small concerns throughout the Nation owe their very existence to the achievements of this Government agency.

When World War II ended, small business was once again confronted with a difficult problem—that of converting to peacetime production. Only through determined effort were SBANE and similar groups able to overcome the fears of banks about extending the credit which was essential to adjusting and expanding production facilities.

Every year since the end of the war, representatives of SBANE have forwarded recommendations for a program of small business to the Senate and House Small Business Committees, to the Administrator of the Small Business Administration, and to the New England congressional delegation. This annual presentation is indicative of the positive steps taken by SBANE to promote the welfare of its members. The practical nature of the program has contributed significantly to increased mutual understanding between Government and small business.

SBANE has an educational program designed to promote an understanding of the crucial role that small businesses play in the stability and growth of the American economy. This program is also of direct assistance to businessmen by keeping them up to date regarding the most modern management techniques. In seeking to achieve a better situation for its members, the association works toward adequate credit and contracts, equitable taxation, improved labor-management laws and relations, and increased foreign trade.

Although SBANE has been in existence for only 25 years, it has made significant contributions to the growth and development of small businesses in New England and the Nation.

Through my work on the Senate Small Business Committee, I have come to respect the association as a reliable and prudent spokesman for the interests of New England's small businesses. Therefore, I wish to congratulate the Smaller Business Association of New England on its 25th anniversary of service to business and Government.

UNITED NATIONS OUTER SPACE RESOLUTIONS

Mr. CANNON. Mr. President, on December 5, the First Committee of the General Assembly took several important steps toward the creation of a regime of law in outer space. By acclamation, it approved a resolution on outer space legal principles which had been submitted by the United Nations Committee on the Peaceful Uses of Outer Space. As you know, my colleague, the senior Senator from Maine, and myself, are senatorial advisers to the U.S. delegation to this Committee. The text of the resolution on legal principles was reached only after long months of negotiations with the Soviet Union and believe, to frame in a legal document the total area in which the interests of all members overlap. On certain issues, on which the Soviet position was unacceptable, the Soviets have dropped their demands. They agreed not to include in the resolution a ban on private enterprise in space, and a ban on observation from space.

In addition, an omnibus resolution, also passed by acclamation in the First Committee of the General Assembly, requests the United Nations Outer Space Committee to arrange for the prompt preparation of draft international agreements on liability for damage caused by objects launched into outer space and on assistance to and return of astronauts and space vehicles—steps which for some time we have advocated. The omnibus resolution also contains a number of recommendations on the work of the United Nations Outer Space Committee, the World Meteorological Organization and the International Telecommunication Union.

On December 2, Ambasasdor Stevenson made a major address to the First Committee outlining our outer space policy. His address included a reaffirmation of President Kennedy's offer to explore with the Soviet Union and others cooperation in the conquest of space, including a manned landing on the moon.

Mr. President, these resolutions represent a long step forward in the continuing effort of the United States to establish a rule of law in outer space, so that honest differences can be settled honorably and without recourse to the employment of space weapons.

STATEMENT BY SENATOR CASE OF HIS ASSETS, LIABILITIES, AND OUTSIDE INCOME

Mr. CASE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement of my assets, liabilities, and outside income.

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

STATEMENT BY SENATOR CASE

ASSETS

I have a brokerage account with Lehman Bros. in New York City. This account is managed entirely by Lehman Bros. and I exercise no control over it. At the present date it holds securities of the following: American Greetings Corp., American International Bowling Corp., City Products Corp., Eastern States Corp., IBM, Kaiser Aluminum & Chemical Co., Seeburg Corp., Northern Ontario Natural Gas, Ltd., Southern California Edison Co., and U.S. Treasury bills. In addition, I hold directly shares of General Motors Corp. and Marine Midland Corp.

Mrs. Case and I have a joint checking account with the National State Bank, Rahway, N.J., branch, and I have savings accounts in the Seamen's Bank for Savings in New York City and in the Rahway (N.J.) Savings Institution.

Mrs. Case and I also jointly own residential property in Rahway, N.J., and Washington, D.C.

I have life insurance policies and/or annuity contracts with U.S. Civil Service retirement system, U.S. Group Life Insurance, Teachers Insurance and Annuity Association, College Retirement Equities Fund, Aetna Life Insurance Co., Connecticut Life Insurance Co., Connecticut Mutual Life Insurance Co., Continental Assurance Co., Equitable Life Assurance Society, Provident Mutual Life Insurance Co. of Philadelphia, and Travelers Insurance Co.

I am the beneficiary of a small trust fund of which the Chase Manhattan Bank of New York City is trustee. The annual income from this trust does not exceed $45.

LIABILITIES

None, except on mortgage covering house in Washington, D.C.

INCOME

In addition to interest and dividends from the accounts and securities, life insurance and annuity contracts and trust above listed, I received fees for articles, lectures, and talks during 1963 from New York Times magazine, Saturday Review, Brookings Institution, Washington, D.C., Calvin Bullock Forum, New York City, Cleveland, Ohio, Civil Liberties Union, Ford Hall Forum, Boston, Mass., Bowling Green State University, Ohio, Cedar Crest College, Pa., Colby Junior College, N.H., Dartmouth College, N.H., University of Massachusetts, University of New Hampshire, and Syracuse University, N.Y.

CLIFFORD P. CASE.

DECEMBER 20, 1963.

TRIBUTE TO SENATOR BIBLE

Mr. JACKSON. Mr. President, when the Sleeping Bear Dunes National Lakeshore bill was passed last night, Senator FRANK E. MOSS paid a tribute to Senator ALAN BIBLE in which I want to join.

The Senate Interior and Insular Affairs Committee is blessed with highly capable members. Every subcommittee is chaired by Senators who are not just interested in processing the bills referred to them, but in developing legislation to meet the national need in their field.

Senator FRANK CHURCH, chairman of the Subcommittee on Indian Affairs, successfully developed a measure dealing with the vexing Indian heirship problem. It has been with us for years and now appears to be on the way to solution.

Senator FRANK E. MOSS, chairing the Irrigation and Reclamation Subcommittee, has dealt with the projects which regularly come to that group for consideration, and also is engaged in review of reclamation programs and policies. The Department of the Interior has just given the committee a review report on the Missouri Basin which will assure full reimbursement of the Treasury for the irrigation and power projects in that area.

Senator ERNEST GRUENING'S Minerals Subcommittee has recently reported two major bills to improve the situation of the vital minerals industry in the Nation.

The Senator from Nevada, Mr. BIBLE, who heads the Public Lands Subcommittee, has not only patiently carried a heavy schedule of bills, hearings and executive sessions, but he and his subcommittee have, in the course of handling the individual measures, forged a great deal of park, recreation and public lands policy.

Guidelines for uniform procedures in the acquisition and administration of the new type seashore, lakeshore and national recreational areas which we have just started to establish have had to be worked out. The interests of State conservation departments, private property owners, some commercial and industrial interests, the Federal Government, and of the public, have had to be identified and conciliated to the fullest extent possible.

The chairman of the Public Lands Subcommittee, a very able presiding officer and fine legislative workman, is at his best in the conciliation of apparently conflicting interests. Each of the seashore, lakeshore, and recreational area bills which has been presented to the Senate has had problems of conserving existing social and economic values already within the area. In each instance, it has been achieved with a high degree of satisfaction to both sides. The Padre Island recreational area is not going to injure the petroleum industry in that area. The Cape Cod area and the Point Reyes areas are not going to dispossess residents and compatible commercial establishments.

Conflict between State and Federal agencies over hunting and fishing in new Federal recreational areas has been resolved and standard language developed satisfactory to both sides. At one time, it seemed as though the two sides were about to use their hunting gear on each other.

Despite a heavy workload, the Public Lands Subcommittee chairman takes the time necessary to consider all worthy bills. His calendar is always in good order, and none is refused a hearing.

Mr. President, the senior Senator from Nevada is making an outstanding contribution to the work of the Senate and the Congress. He was a great attorney general in Nevada. He is a great national legislator. I want the RECORD to show my appreciation to the people of Nevada for sending him here.

As chairman of the full committee, I have an especially great appreciation of Senator BIBLE'S work, and the fine measures he has reported to the full committee for its consideration.

The senior Senator from Nevada has done a tremendous job—both in terms of quantity and quality—throughout his chairmanship.

PROGRESS IN LATIN AMERICAN AFFAIRS

Mr. YARBOROUGH. Mr. President, last week the President discussed with me certain Latin American affairs. Since I have an abiding interest in the field of Latin American affairs, I made certain recommendations to the President. He suggested that I reduce them to writing. I did so in my letter to the President of December 16. The President answered those recommendations on December 20.

In view of the President's great interest in Latin American affairs during his 24 years of service in the Congress and his service as Vice President, before he assumed the office of President of the United States, I ask unanimous consent that the exchange of letters be printed at this point in the RECORD.

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

THE WHITE HOUSE,
Washington, December 20, 1963.

HON. RALPH YARBOROUGH,
U.S. Senate,
Washington, D.C.

DEAR RALPH: I appreciate your fine letter of December 16. I am convinced we have no more important work than what we must do in the hemisphere among our good neighbors to the south. Your specific suggestions are excellent. I appreciate them. We need the ideas and guidance of men who know the people and problems of Latin America firsthand, as you do.

I agree with you on the necessity of showing the workers in Latin America the leadership and benefits of our free, anti-Communist trade unions—and have directed Tom Mann to make full use of this resource of talent. I also hope we can bring more Latin students to our campuses. I should like to see the enrollment at our universities on the increase. Our exchange programs are most important.

I am grateful for your support of Tom Mann in his new duties. I will be looking to you for more suggestions on what we must all do together in this vital sector of our national interest—and the interest of world peace.

Sincerely,

LYNDON B. JOHNSON.

Senator YARBOROUGH'S letter of December 16 to President Johnson follows:

DECEMBER 16, 1963.

THE PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Following our brief discussion last week of the Latin American affairs and the Alliance for Progress, and your expressed determination to work for an improvement in Latin American relations, your action in appointing Ambassador Thomas Mann as Assistant Secretary of State for Latin American Affairs shows your determination to move upon that field.

Since I practiced law in El Paso for 3½ years, have visited Mexico often, and last year was one of the congressional representatives to the Interparliamentary Union meeting at Brasilia, I have a keen interest in Latin American affairs, and have continued my study of Latin America in 6½ years in the Senate.

Based upon this continuing observation, I believe that much more should be done in Latin America, to strengthen and speed up the Alliance for Progress, and in other fields. To help achieve these aims, I recommend the following:

1. That the assistant secretaryship for Latin America be elevated to a deputy secretaryship. This would impress the world with the importance we attach to Latin America.

2. Separate the Alliance for Progress from AID. Give the Alliance for Progress that status and dignity that would say to Latin America: "This program for Latin America is not under or part of something else; its importance in this world entitles it to independent existence, of, by, and for the Western Hemisphere alone." This would give the Alliance a level in our own governmental structure commensurate with the importance we are placing on our working partnership with our Latin American neighbors.

3. There is attached hereto a letter addressed to me on December 13, 1963, by William C. Doherty, Jr., Director, Social Projects Department of the American Institute for Free Labor Development, which outlines efforts being made in the anti-Communist trade unions of Latin America—this is noticeable in Lima, Rio de Janeiro, and other cities I visited. It should be pushed fast, as a bulwark of democracy.

4. I recommend the support, stimulation, and encouragement of the State-Nation brotherhood concept, by which an American State collaborates with a Latin American country, somewhat like the California-Chile program. But the present program is a successful variation, because emphasis is on local groups sharing a significant share of the financing, and State groups, business and labor, are responding very, very well. Mr. Moscoso has brought Jim Boren back from Peru, where he was deputy director of the AID mission, and has put him in charge of this cooperative State-country program. It is a form of people-to-people program, and is very successfully building real grassroots support for the Alliance, both here and in Latin America. I recommend the encouragement and strengthening of this work.

5. On my trip to Latin America last year, I found the Peace Corps one of the most respected and beloved of all American efforts overseas, either public or private. I recommend its continuance, support, and enlargement. It is America's export of working compassion.

6. The Trade Fair at Buenos Aires was creating a very favorable impression. Europe is competing heavily with us in Latin America. I recommend the continuance of our trade fairs abroad, and of our tourist bureaus to attract tourists to the United States.

6. One of the critical long-range needs I find is opportunity for more Latin American students to attend universities in the United States. The FULBRIGHT scholarships, other exchange programs, and many private agencies, are stimulating study here by Latin American students, but the unfavorable (to them) rate of exchange sharply curtails the ability of adequate numbers of Latin American students to attend our universities. All existing programs, public and private, should be broadened and strengthened.

7. I recommend that appropriations for the Alliance for Progress not be cut.

Your drive and encouragement can do much to make the Alliance for Progress move for progress. By upgrading the officials administering Latin American affairs in our Government, all of these programs can be upgraded in the mind of the world.

Respectfully recommended,

RALPH W. YARBOROUGH.

WALTER PRESCOTT WEBB: A GREAT AMERICAN

Mr. YARBOROUGH. Mr. President, with the death of Walter P. Webb, the Nation has lost its greatest living historian of the American West, and Texas has lost one of its foremost men of letters. Of the great Southwestern triumvirate of Roy Bedichek, Walter Webb, and Frank Dobie, only Dobie is left.

Walter Webb, as author and educator, made people of the Southwest conscious of the effect of geography on human action and development. He trained a whole generation of historians. He planted scholarship in the vast reaches of the West, and taught legions to think for themselves. A giant is gone.

He, more than any man I have ever known, possessed the ability to relate the importance of the history he treasured to the people he loved.

His unlimited wisdom, his devotion and dedication to academic freedom of thought, his respect for truth and integrity, and his concern for the individual will have their continuing effect upon the persons who were privileged to know him.

In commenting on the passing of Dr. Webb, J. Frank Dobie made the following tribute:

> No person who has added as much to the heritage of human life as Walter Webb added ceases to be.

His influence on young people is a lasting tribute to the great esteem in which he was held at the University of Texas and in fact wherever students of history are found. His unexpected death leaves a void in the field of history and of education in the great Southwest, but America is fortunate that this scholar was a vigorous and exceptionally talented writer who left much of his knowledge permanently recorded.

As a recorder of the history of the Southwest, so is his own historically important life due preservation in these archives.

Mr. President, I ask unanimous consent to have printed in the RECORD the following articles and editorials:

Mr. Webb's bibliography, "Webb Requiem," published in the Daily Texan of Tuesday, March 12, 1963; published in the Daily Texan, "Dobie: Webb in Thought Power," of March 10, 1963; "Thirty-Two Years of Praise Given Webb's Writing," published in the Daily Texan, March 10, 1963; "Texans Comment on Webb," published in the Daily Texan, March 10, 1963; "On My Friend Walter Webb," written by J. Frank Dobie, and published in the American Statesman, March 17, 1963; "An Honest Postscript to Dr. Webb," published in the Daily Texan, March 19, 1963; an editorial entitled "Walter P. Webb," published in the Dallas Morning News, March 12, 1963; an editorial entitled, "Walter Prescott Webb," published in the Austin Statesman, March 12, 1963; "Webb Noted for Histories," published in the Austin American, March 9, 1963; "Gone From the Land, Ten-Gallon Texan," published in the American Statesman, March 17, 1963; an editorial entitled, "Walter Prescott Webb Left Imprint on State and Nation," published in the Houston Post, March 12, 1963; "History May Decide Webb Was Writer of the Century," published in the Houston Post, March 12, 1963; an editorial entitled, "Walter P. Webb," published in the Fort Worth Star-Telegram, March 12, 1963; "Dr. Walter Prescott Webb," a funeral sermon written by Dr. Edmund Heinsohn, March 11, 1963; "On My Friend, Walter Webb," written by Joe B. Frantz, volume 1, No. 2, spring, 1963, Texana; and from the July 26, 1963, special issue of the Texas Observer the following articles: "For Years We Three Sat Together," written by J. Frank Dobie; "An Unfashionable Kind of Historian," written by John Fischer; "Going to Places in the Pasture," written by Rodney Kidd; "Webb My Teacher," written by Wilson Hudson; "Webb's Politics," written by Joe B. Frantz; "The Great Plains," written by R. D. (Ronnie Dugger); "The Great Frontier," written by Hubert Mewhinney; "Three Friends," and "Meetings in Dallas," written by Lon Tinkle.

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

BIBLIOGRAPHY OF WALTER PRESCOTT WEBB

"The Great of a Nation," with E. C. Barker and W. D. Dodd, 1928.

"The Story of Our Nation," with E. C. Barker and W. D. Dodd, 1929.

"The Great Plains," 1931.

"The Texas Rangers," 1935; moving picture, 1936.

"Divided We Stand: The Crisis of Frontierless Democracy," 1937.

"The Great Frontier," 1952.

"More Water for Texas," 1954.

"An Honest Preface," 1959.

"Handbook of Texas," editor, 1952.

[From the Daily Texan, Mar. 12, 1963]

WEBB REQUIEM

(By Helen Yenne)

In the Texas State Cemetery between Stephen F. Austin and Albert Sidney Johnston, a university professor of history now lies buried.

Dr. Walter Prescott Webb, 74, who died in a car crash Friday, was interred there Monday. The cemetery is reserved for members of the legislature, elected State officers, and appointed officers who must be confirmed by the senate. Only by gubernatorial proclamation can anyone else be so honored.

But Gov. John Connally considered that Dr. Webb had devoted his life to making the world understand Texas and to making Texas understand its potentialities and was therefore deserving of the honor.

In a proclamation issued Tuesday, the Governor said of Dr. Webb:

"Through his writings he made the world conscious of the Texan's fight to triumph over water, of the meaning of courage as exemplified by the Texas Rangers, and of the struggle of Texas to stand tall and proud.

"As student and professor, he served the University of Texas for more than half a century and helped bring it international acclaim.

"As director of the Texas State Historical Association, he helped others understand their heritage; as father of the junior historical movement, he helped the youth of Texas to appreciate that heritage; and as originator of the 'Handbook of Texas,' he helped people everywhere to know accurately the facts behind the Texas story."

Funeral services for the historian Monday at University Methodist Church were attended by hundreds of mourners.

They came from all over the State and elsewhere in the Nation to hear Dr. Edmund Heinsohn, who had known Dr. Webb since 1909, deliver an unusual eulogy.

As Dr. Heinsohn was telling an amusing story about Dr. Webb, most of the mourners found themselves laughing. Many later remarked that they had not remembered laughing during a funeral service before—but that it was precisely the type of service Dr. Webb, a superlative raconteur himself, would have wanted.

Three of Dr. Webb's survivors were present: a daughter, Miss Mildred Alice Webb, of Austin, and two sisters, Mrs. Irma Wright, of Austin, and Mrs. Ruth Nations, of San Angelo.

His wife, Mrs. Terrell Maverick Webb, critically injured in the crash in which he died, was still in an intensive care unit at Brackenridge Hospital.

Speculation continues as to how the accident Friday occurred. Mrs. Webb was reported as driving the car at the time.

The Daily Texan learned in a telephone conversation Sunday with Mrs. Florence Rosengren, owner of a San Antonio bookstore, that when Dr. and Mrs. Webb left there Friday at 5:30 p.m. headed for Austin, Dr. Webb was driving and that Mrs. Webb had goodhumoredly complained of being very tired.

If Dr. Webb had been the driver, some of his close friends have suggested that he might have either suffered a stroke or nodded at the moment the car went out of control.

No autopsy, however, was performed because the justice of the peace, summoned to the scene of the accident near Buda, south of Austin on Interstate Highway 35, did not order one.

Although it had been suggested that instead of flowers, friends of Dr. Webb send contributions to the Hinds-Webb Memorial Fund at the University of Texas, a number of floral offerings were received. Among the senders were Gov. John Connally, the Amalgamated Drag Dwellers Coffee Club (old friends with whom Dr. Webb regularly drank coffee), Oxford University (where Dr. Webb was Harmsworth professor of American history), Texas State AFL-CIO, Texas State Bank, and Hugh B. Patterson, Jr., publisher of the Arkansas Gazette.

The Webb-Hinds Fund was set up by Dr. Webb to aid needy students at the University. William E. Hinds, of Brooklyn, N.Y., was the man who helped Dr. Webb finance his education at the university.

[From the Daily Texan, Mar. 10, 1963]

DOBIE: WEBB IN THOUGHT POWER

(EDITOR'S NOTE.—J. Frank Dobie, controversial Texas author and onetime English faculty member, submitted to the Texan the following comments on the death of his close friend of 40 years, Dr. Walter Prescott Webb.)

The one thing needful for a writer is vitality of mind. (Dr. Walter Prescott) Webb had it. He observed, made deductions, thought. In 1925, while I was in Oklahoma, he wrote: "We are both in a hole on this Ph. D. degree proposition. The consciousness that I do not have the degree does a lot to deter me from achieving that freedom and independence essential to high-power work."

He needed the degree to fulfill academic requirements. He attained it by writing a book that for more than 30 years has been a highwater work among American histories—"The Great Plains." He wrote it to be read and to give understanding. Instead of being a thesis, it served as one.

Webb's superiority as a historian lies to no small degree in power of thought, in revealing the meaning of things as well as character and interpreting the ever-evolving currents of human affairs. His last big book, "The Great Frontier" (1953), interprets the Western Hemisphere as a frontier for the expansion of Europe. It says plainly and emphatically that in prospering America has been consuming irreplaceable resources and that the future of such a policy is not bright.

Any man who has seen life and been a part of life wants to leave it before decomposing into a senile vegetable. Webb died standing up, as Caesar considered it mete for a man to die. No person who had added as much to the heritage of human life as Walter Webb added ceases to be.

[From the Daily Texan, Mar. 10, 1963]

THIRTY-TWO YEARS OF PRAISE GIVEN WEBB'S WRITING

(By Richard Cole)

Dr. Walter Prescott Webb first gained international prominence as an author in 1931 with "The Great Plains."

"One of the most original, suggestive, and thoughtful contributions to the science of history in recent years," H. S. Commager wrote of the work in "Books."

"A volume as interesting to a wide field of readers as it is monumental in the field of social and environmental research," the Engineering News-Record said. The work earned him the Loubat Award.

Later made into a movie, "The Texas Rangers" (1935) received excellent notices.

"For years Mr. Webb studied the rangers, gathering data, and now he gives us the thoroughly satisfying result * * * the best work of its sort ever to come out of Texas," the New York Times wrote.

His book, "Divided We Stand," brought criticism in 1937. The thesis of the work is that since the Civil War the United States has been steadily developing a new sectionalism, under which the North has gained domination in political and economic affairs over other regions.

NOT A SCHOLAR

"Mr. Webb has not pretended to originality or to scholarship. His own contribution is in the skillful popularization of the findings of others, in the provocative restatement of their arguments, and in the humanization of their statistics," Commager wrote. "His book is meant for the layman, not the scholar. It should be widely read and pondered, for its argument is of utmost significance to the future of American democracy."

In 1952, "The Great Frontier" brought acclaim and disdain.

"The argument presented here is highly reasonable, and it is developed with courage and wit. Neither Mr. Webb's penchant for pungent expressions nor his use of large strokes of the brush should minimize the attention which his book merits," the New York Times reviewer ventured.

"To be forced to say of a man who has written so well that he has simply wasted his time in producing his most recent book affords the reviewer no satisfaction but only discomfort and regret," J. H. Hexter said in "American History Review." "Unfortunately in writing 'The Great Frontier' our Homer did not merely nod; he mumbled in his sleep."

Oscar Handlin in "Nation" wrote, "In 'The Great Frontier' Professor Webb of the University of Texas reduces the frontier conception to its ultimate absurdity. * * * It will be enough to indicate the fatal weakness in Webb's central conception of the great frontier."

"Professor Webb supplies no solution, but in giving the story of the exodus to and the exploitation of the frontier, he provides clues and possible guideposts for the future," the Chicago Sunday Tribune printed.

"An Honest Preface" (1959) was the result of Webb's effort and his collaboration with Dr. Joe Frantz, professor of history.

"Even this unpretentious volume of essays bears Webb's usual trademark: an artistic talent for imaginative synthesis fused with tough-minded analysis," the Chicago Sunday Review wrote.

The Christian Science Monitor said of Webb:

"Mr. Webb is one of America's notable historians. * * * He is also one of the most engaging writers the American school of historiography has produced—humorous and pithy, with the iconoclastic touch of the village intellectual and the all-encompassing grasp of the learned theorist."

[From the Daily Texan, Mar. 10, 1963]

TEXANS COMMENT ON WEBB

(By Rodney Davis)

"We're all saddened by it.

"We didn't even feel like opening the library this morning, but several students have an hour quiz Monday which they must study for," a staff member at the Eugene C. Barker Texas History Center said Saturday, describing general reaction to the sudden death of Dr. Walter Prescott Webb.

The passing of the internationally known historian drew comments from across the Nation as friends and acquaintances learned of the tragic automobile accident.

DR. SMILEY

"I'd like to say that the University of Texas and the entire scholarly world have lost an intellectual giant in the tragic passing of Walter Prescott Webb," Dr. Joseph R. Smiley, president of the university, said.

"He has brought signal honor and worldwide distinction to the university department of history with which he was associated all the years of his adult life. With typical vigor and imagination, he was in the midst of a new experiment in teaching, bringing to the campus the world's outstanding historians to record for posterity the significant lessons of man's past."

LEWIS

Archie R. Lewis, acting chairman of the department of history, said: "Walter Webb proved that history was a vital inheritance to strengthen our resolution and sharpen our intelligence. He also dealt with two generations of students and faculty colleagues with warmth, understanding, and salty wisdom. We shall not see his like again."

GOVERNOR CONNALLY

"I am profoundly saddened about the tragic news of Dr. Webb. We can be thankful, however, that his genius will be preserved for posterity through the great works he left behind and the inspiration he has given to so many. I join his countless friends in extending our deepest sympathy to all the family," Governor Connally stated.

VICE PRESIDENT JOHNSON

When contacted by the Daily Texan, Vice President Lyndon B. Johnson was at the White House. He gave the Texan the following statement:

"The hand of death has removed one of my closest friends. We pray that his wife will be spared.

"Walter Prescott Webb was the great chronicler of the Southwest and West. He was a man of original thought and one of the most distinguished sons of Texas. He was a man of profundity leavened with a sense of humor, one of the outstanding scholars of our time. Surely all who love honesty and excellence of thought will grieve."

DR. WILSON

Former president and chancellor of the university, Logan Wilson, now president of the American Council on Education in Washington, told the Texan: "Dr. Webb was one of the greatest figures in the history of the University of Texas. He was my personal friend, and the news of his death has been a great shock. He was a man of fundamental honesty; he had character and flavor—he did not try to be pleasing. Yet he made a tremendous impression on those who knew him. His influence was manifestly far reaching."

SENATOR YARBOROUGH

Senator RALPH YARBOROUGH, Democrat, of Texas, said, "A giant is gone.

"With the death of Walter Prescott Webb, the Nation has lost its greatest living historian of the American West, and Texas has lost one of its foremost men of letters."

SENATOR TOWER

Senator JOHN TOWER, Republican, of Texas, felt Webb's death was "a great loss to Texas as well as the world. Not only was he a superb historian, he had a fine wit and style."

DR. RANSOM

"Walter Webb was a great man. He made his greatness, as few men are able to do, out

of simplicity. He was the complete Texan, but each of his main Texas qualities was universal—honesty, concern for the individual, and devotion to truth as he saw it.

"He leaves a tradition which is the making of universities. His own university will stay in debt to the man himself, to his mind, and to the example he set in courage and integrity," Dr. Harry Ransom, chancellor of the university, said.

DR. BURDINE

"I think the university has lost one of its most dedicated people, I think he was typical of the university and the growth of the university," Dr. John Alton Burdine, dean of the College of Arts and Sciences, said.

JUDGE HART

"Dr. Webb combined fearless devotion to academic freedom with brilliant scholarship. I believe that my best single act as chancellor of the university was to insist that Dr. Webb's active participation in controversial issues should not prevent his richly deserved appointment as distinguished professor," Judge James P. Hart, former chancellor of the university, stated.

[From the American-Statesman, Mar. 17, 1963]

ON MY FRIEND WALTER WEBB

(By J. Frank Dobie)

I cannot speak freely of Walter Webb apart from personal life. Each of us was born in the year 1888 and reared in the country. We were underling instructors together, he in history and I in English, in the University of Texas; we came to know each other better along in the thirties. The evening he was killed in a car accident March 8, 1963, I and two other men were sitting down to dinner as guests of Frank Wardlaw, director of the University of Texas Press, all of us expecting Webb to appear before long.

Many times in newspapers and elsewhere I've seen the names of Roy Bedichek, naturalist and humanist, Walter Prescott Webb, historian and thinker, and Frank Dobie linked together as a triumvirate of writers.

Bedichek, the dearest comrade of my life, died in 1959. For maybe 20 years before this I had closer association with Webb than at other periods. With Mody Boatright, Wilson Hudson, Frank Wardlaw after he came to Texas, Glenn Evans and John Henry Faulk whenever *either* was available, we three not infrequently went out in the country late in the day to cook steak and eat it along with a bottle of beer.

Bedichek was the planner of these parties, also the cook. He saw that each man paid his part of the expenses. There was no host. There was not much drinking. Webb didn't care for beer. A sip of wine suited him. If he took whiskey, he didn't take more than a jigger without water.

The site for our camp suppers came to be Friday Mountain Ranch in the hills 17 miles southwest of Austin. It consists of approximately a section of land; an ancient two-storied rock house on it was once a kind of academy. After Webb acquired the place it entered into his bones—into the very fibers of his being.

He spent an enormous amount of time and money restoring the soil and brining back a turf of grass. Bear Creek, normally running, twists through the land. Webb dammed it, compounding a fine hole of water. The water, the soil and the grass restored him as much as he restored the land.

In 1945 or 1946 Roy Bedichek was provided with a grant of money by a civilized man who demanded anonymity. He spent a year at Friday Mountain batching and writing the book published in 1957, "Adventures With a Texas Naturalist." Webb wanted humanity to benefit from the land. Without living on it and there associating with himself and with nature, free from everything else but the occupation of writing, Bedichek probably could not have achieved the classic that he did achieve.

It was only after rains broke the terrible drought of the fifties that grass really came back on Friday Mountain land. In 1962 it was at its prime and Walter Webb was also.

He wrote an essay, published in Harper's Monthly and then reprinted in Reader's Digest, telling of the poverty of his boyhood and of a stranger in New York who sent him books to read and aided him in getting a college education. William E. Hinds died many years ago. Webb never saw him and remained to the end concerned over some way to pay him back. His paying back seems to have lain in aiding certain struggling and able students.

He was always on the side of humanity, the people. One of his books, "Divided We Stand" (1937), analyzes the dearth of prosperity in the South while the North burgeoned and for a long while treated the South pretty much as a colony. Webb himself prospered through investing earnings from teaching and writing—especially from two textbooks—in real estate. A few years ago he drew up a plan to enable faculty members of the University of Texas who so wished and had the money to invest in real estate. I don't think, however, that this plan got into operation.

Several times I have heard him speak of the influence of Prof. L. M. Keasbey on his life. Before World War I, Keasbey, a professor in the university, gave a course on economics in which he made plain at least one way to get money: Invest in land that the activities of an increasing population will make more valuable—very valuable if the land be chosen judiciously. At the time Webb was absorbing directions to the unearned increment an Austin peddler and then wholesale shipper of vegetables named Crockett took the Keasbey course. He, as I saw and as he told with pride, became expert in anticipating traffic routes of the city; he died one of the richest property owners in it.

Webb had a dim view of certain English teachers under whom he had studied in the university. He wanted to write but learned by himself the craft of writing. Some time after World War I, he was avidly reading O. Henry and writing some short stories of his own. One that I remember was based on an electric sign above Joske's store in San Antonio that flashed every night, showing a cowboy roping a steer. Webb taught for a while in a San Antonio high school.

His superiority as a historian lies to a marked degree in power of thought, in revealing the meaning of things as well as characters, and in interpreting the ever-evolving currents of human affairs. Not long after his first major book, "The Great Plains," came out in 1931, a writer of western fiction, named Clem Yore, living in Colorado, wrote me that a gathering of writers of westerns confessed to not knowing the real meaning of barbed wire, of windmills over wells drilled into the ground, and of the treeless plains themselves until Webb taught them.

His last big book, "The Great Frontier," (1953) interprets the western hemisphere as a frontier for the expansion of Europe. It says plainly and emphatically that America has been consuming irreplacable resources and that the future of such a policy is not bright. This book came out during the outrage of McCarthyism, and some fanatics, without reading it, slammed it as a rebuke to "free enterprise."

When Webb took a stand, he took it. If the radical right seemed to him unjust and undemocratic, the radical left annoyed him. He was not a crusader and was not contentious. Much went on in his mind that he never gave words to. He sometimes wishes, he once told me, that he didn't have to think. He discerned a certain strengthening of the mind through playing poker. He liked to play poker, but attending to the cards seemed not to bother his peace of mind.

One time while we were walking along the railroad about Third Street in Austin, we stopped beside an oldtime steam locomotive. It was stationary but was throbbing with power. Webb said, "That is the greatest manifestation of power in the world." I told him that out of respect for its power and the symbolism of power old Dr. Sanders, professor of Latin and Greek at Southwestern University about the beginning of this century, would remove his hat in salute to a steam engine pulling a train past him.

Whether Webb actually ever hated anybody or not I cannot say. I never heard him express hatred toward anybody. He was more inclined to set forth the facts about a man than to praise or condemn. He was tolerant of the vagaries of individuals.

He developed as a professor and historian under the late Dr. Eugene C. Barker, for years head of the History Department of the University of Texas. The older Barker grew, the more conservative he grew. His directness and his integrity were admirable. I myself owe considerable to him. He came to think that the masses of mankind need a kind of dictatorial direction in religion, in politics, and in other regions.

While Dr. Barker was actively against Homer Price Rainey as president of the University of Texas and was standing with the by-no-means-intellectual regents who deposed Rainey, Webb was for Rainey. At the same time, he was never against Barker. "I did not understand him," I heard him say not long ago, "but he stood by me. He was generous. He stood for fine things. I remember him with respect and gratitude."

The first Mrs. Webb, after having been married to Walter for more than 43 years, died in the summer of 1960, survived by a daughter, Mildred, of whom Dr. Webb as well as Mrs. Webb was very fond.

In December of 1961 he married the widow of the late Maury Maverick of San Antonio, a very spritely mind and a delightful lady. Considering his love for her and her marrying him, he said, "This is an unexpected dividend from life." He was frank about this love. During the summer of 1962 while he was lecturing at the University of Alaska, she unable to accompany him, he wrote her every day. He was openly naive in expressing his ecstatic delight in her being and in married life with her.

Any man who has seen and been a part of life wants to leave it before decomposing into a senile vegetable. Webb died standing up, as Caesar considered it mete for a man to die. In a flash he passed from wisdom and happiness to whatever death means. No person who has added as much to the heritage of human life as Walter Webb asked ceases to be. His living, thinking, writing, standing up will surely continue as parts of his projected shadow.

[From the Daily Texan, Mar. 10, 1963]

AN HONEST POSTSCRIPT TO DR. WEBB

In one respect I always disagreed with Walter P. Webb. In his gruff way he liked to say that one day the flags of the University of Texas would fly at half-mast for him, and after that this big educational complex that he had helped nurture from adolescence would go on its way, swallowing his memory as wholly as if he was merely one more statistic. I don't believe this for a moment.

Walter Webb gave the university some of its most champagne-clear and heady think-

ing of the past three decades. He plowed his own furrow regardless of criticism, showed an impatience for detail and for the academic tendency to stall on points of difference, never sought a fight and never dodged one. Without any administrative ambitions himself, and seeking nothing from the university except to be let alone intellectually, he gained such respect from his fellow faculty members that his advice was sought and cherished by men of all persuasions, many of whom disagreed diametrically with his scholarly findings. Probably there has been no professor with greater power on the campus, simply because the faculty and administration both knew that his answers would be straightforward and unsubtle.

So we say adieu to a scholar of world renown who proved that you do not have to leave home to strike a blow for intellectual excellence. But more than that, we say goodbye to an influence that pervaded many portions of the life of the university, of Austin, of Texas, and of the Nation. And we say goodbye to a courageous, craggy character who will still be missed the day after the flags are returned to the top of their masts, and for as many days thereafter as we who loved him as a friend and respected him as a man have the capacity for remembrance.

Dr. JOE B. FRANTZ,
Chairman of Department of History.

[From the Dallas Morning News, Mar. 12, 1963]

WALTER P. WEBB

Of the Texans of this century whose careers will still be meaningful to future generations as long as civilization exists, Walter Prescott Webb is surely one. "I have no more books in me that I want to write," the great historian told friends in Dallas only a fortnight before his tragic death in a car accident March 8, just outside Austin—the city which he loved above all others and where he carved out a career at the university which won him international renown.

When Arnold Toynbee and such other famous British historians as Geoffrey Barraclough came to this country, they came to Texas to see Walter Prescott Webb. Webb's two most ambitious books, "The Great Plains"" and "The Great Frontier," will endure among the printed words that have shaped the world. As the New York Times Book Review put it in an anniversary issue assessing books of the first half of the 20th century, Webb's "Great Plains" was generally considered "the most important single-volume contribution to American history in our times."

The west Texas farm boy who achieved this distinction was properly described in the Associated Press story of his death as a "shy dreamy youth." From boyhood on, when he discovered the delight of reading, all he wanted to be was a writer. He knew it would be a struggle, but he enjoyed struggle. That is why he helped so generously many a student born with brains but without adequate financial resources. He cherished, privately, Hans Christian Andersen's story of "The Ugly Duckling"—and gave copies to anxious students battling against odds.

Though reserved on the surface, he had a genius for friendship. The personal memory of this exceptional and great man will long enrich life in Texas, as his books will enrich posterity.

[From the Austin Statesman, Mar. 12, 1963]

WALTER PRESCOTT WEBB

Dr. Walter Prescott Webb departed from us in the twinkling of an eye, the victim of a tragic automobile accident while he and Mrs. Webb were nearing their home after a visit in San Antonio.

Austin, Tex., the Nation, and the world of the intellectually great who recognized his greatness, suffer a tremendous loss. It is difficult to adjust to the fact that he is gone.

Walter, as his friends called him and they were legion, was a quiet, humble man who never willingly referred to the many honors that had been bestowed upon him. A democratic individual, the catholicity of his friendships was shown by his friendship with many who had no claim to fame, his interest in people as well as in the subjects he discussed in his books and lectures.

His friendliness overflowed like an over filled cup, and his memory held a great collection of experiences and anecdotes of the Texas he loved and which he was at his best in relating in informal gatherings or to a group of his cronies. He greatly enriched, in his chosen field, the literature of his day. He warned of the attritions that go along with civilization and the change from land abundance to shortage which with the years would be more pronounced.

He was easy to approach, easy to talk to, and easy to show a friendly sympathy. He never claimed vocal eloquence, this being reserved for his writings, with which almost every sentence was underscored.

He was a man of parts, though sometimes his conclusions caused controversy. On these occasions he was willing to be shown, but it is something of a remarkable fact that not often did he feel impelled to recede. His photographic mind absorbed everything, but he was quick to recognize and discard the chaff which clutters so much modern-day thinking.

One with the qualifications of Dr. Webb comes along about once in a hundred years. It is too bad that such a person cannot remain with us always to embellish the world's mentality.

[From the Austin (Tex.) American Statesman, Mar. 17, 1963]

GONE FROM THE LANDS TEN-GALLON TEXAN

(EDITOR'S NOTE.—With the tragic death of Dr. Walter Prescott Webb one of the finest writers of the Southwest put the final period to his chronicles. Dr. Joe B. Frantz, chairman of the Department of History of the University of Texas, says he was one of the legion who felt complimented to know Dr. Webb well. Here is Dr. Frantz' tribute to his friend and colleague.)

(By Joe B. Frantz)

Every newspaper of any size in the State—and many outside the State—have carried tributes, written editorials, and devoted both news and editorial columns to the late Walter Prescott Webb this past week. The weekly, monthly, and quarterly publications will begin their paeans soon.

What does that leave to be said that isn't repetitious?

Although this is a book page, I would prefer—in trying to avoid reiteration—to concentrate on Walter Prescott Webb the man rather than Webb the writer or the historian. This approach is legitimate, because every author writes a bit of his autobiography, reveals a glimpse of himself, everytime he sits down at his typewriter. And Webb and his typewriter were almost inseparable.

So what do we who read books and write books and review books, remember about Walter Webb? The thoughts cascade. A unique puckering of lines about his mouth as he grinned. A grin that—pardon the bromide, but it fits—looked like the cat who had swallowed the canary. Unexpected laughter that could explode at the most unexpected moments. None of us could ever anticipate what would titillate his somewhat puckish sense of humor, but usually we found we were being excruciatingly funny when we were never more serious—or just plain everyday bantering.

Sample: The Department of History installed a lounge this fall where faculty and graduate students could talk shop, profoundities, and trivialities over coffee. Just last week Dr. Webb called aside Colleen Kain, the department's administrative secretary.

"I'll give you $5 if you'll get those girls to make the coffee stronger," he said with all the air of a conspirator.

The next day Miss Kain went in the lounge to find Webb drinking coffee. He raised his cup in a half-gesture.

"Much better," he said.

"Then where's my $5?" she countered.

He laughed till his face flushed and the tears flowed.

Sample: A golfer friend was telling Webb about his day on the course and particularly about an especially deliberate member of the foursome.

"We are on No. 17 tee near the road, and this guy is ready to drive. A truck pulls up alongside the fence and its keeper watches. Sam addresses the ball, then steps back and sights. Then he steps up, but he can't get his feet right. He tries again, but the ground isn't even. He adjusts the height of his tee. This goes on for what seemed like 10 minutes. All of a sudden the truck driver leans out of his cab and yells, "For the luvva God hit the sonuvabitch."

Webb was prostrated

We remember, as Dr. Edmund Heinsohn said in his eloquent funeral tribute, a man who loved sinners but not their sins. Everyone of us felt that he had a friend or two we just couldn't understand. How could Webb tolerate him, each of us has said at some time but his taste was as catholic in friends as it was in literature.

A Mr. Garrett was his caretaker at Friday Mountain. Mr. Garrett was one of the most obscene, profane, and colorful, and nonstop talkers Webb had ever heard, and Webb would invent all sorts of projects for Friday Mountain in order to increase his contacts with Mr. Garrett. Mr. Garrett died while Webb was at the University of Alaska. This winter Webb told me, "I think I'll sell my ranch. It's no fun without Mr. Garrett to listen to."

Webb himself could get garrulous. But not consistently. Barnes Lathrop of our department is rather taciturn, which is a distinct relief at times. Lathrop once told me that he felt extremely close to Webb, "though some people would wonder if they could see us. I've ridden 30 miles with him without a word passing between us."

He was extremely sensitive to the possibility of boring others. And if he were bored, he could never hide it.

In writing he circled a task like a dog trampling tall grass before lying down. But once he started writing, he wrote like a professional. His favorite writing day was 3 hours in the morning, an afternoon spent in napping and attending to odds and ends, and 3 hours at night. Usually he arrived at the office about 9 o'clock in the morning. Until his marriage in December 1961, he was frequently there at 10 o'clock at night.

He wrote after considerable reading. Without the instincts of a true researcher he liked to be full of the story of a topic, and then write without pausing to check fugitive facts. He rewrote very little. And with all the unfeigned enthusiasm of a child asking his mother to tell the relatives what bright thing he said today, whenever Webb wrote a passage he particularly liked, he would read it to everyone who dropped into his office.

Webb had no use for avant-garde literature, nor for the "dead baby" school. Over a period of years I urged such a mild and humorous novel as "Tortilla Flat" on him, but

he could never get beyond the first chapter to the savory portions—too much poverty and chicanery, he said. His heroes were O. Henry, Damon Runyon, and Eugene Manlove Rhodes, none exactly a giant. He thought English historians were infinitely superior writers to American historians, because they told the story without detail and with style.

Perhaps a feeling for style—for the telling phrase—for pace—was the key. Not solidity. Certainly his work was vulnerable to the criticism of the guild. Economists blasted him, historians demurred, and environmentalists faulted him and environments faulted him then.

"Any time I publish anything, it's no longer mine," he liked to say. "Good books and articles outlast the critics, and if you are going to be thin-skinned, you're not a writer."

When Fred Shannon of the University of Illinois wrote a book charging that "The Great Plains" was defective in both historical conception and execution, Webb made one of his few replies to a critic.

He hadn't thought of it as history, he said; to him it was a work of art, and art is supposed to express the artist, not to be accurate reproduction.

Around Texas he felt that Fred Gipson was the most underrated writer in the State—the best writer in his genre since Mark Twain. He was jealous of Frank Dobie's greater fluency, but not jealous of Dobie himself. Not exclusively, he thought Roy Bedichek was the greatest intellectual Texas had produced. He resented what he considered Tom Lea's commercialism, although he liked Lea personally. "But I can't see Tom ever taking a month off to help someone else," a statement which reveals more of Webb than it does of Lea.

Everyone felt a peculiar kinship to Webb, almost as if he owned a piece of him. Because Mrs. Webb was critically injured, I had to participate in his funeral arrangements more heavily than I would have liked. I faced a continual barrage of long-distance calls and telegrams, and my home and office telephone virtually rang around the clock—all telling me how they knew Webb would have wanted things done.

At the hospital Mrs. Webb sent for Frank Wardlaw and me, and said, "On pallbearers start with you two and then it's up to you—just make it representative." The preliminary list included 23 who had to be included. *Someone else* could have drawn up an equally long list with just as much claim to personal attachment.

Webb was so multifaceted that any account of him must necessarily be partial and incomplete, or else interminable. Frank Dobie spent most of Saturday after the wreck writing a tribute to Webb. "I can't do it right," he complained; "It's an artistic problem in what to omit, and what I omit is more important than what I put in."

Since Adam men have argued the probabilities of immortality. In Webb's case the argument is reasonably academic. Certainly so long as the generations who knew him continue, he will live on. Certainly too, so long as there is a Texas, he will be remembered for such things as his history of the Texas Rangers, his "Handbook of Texas," his founding of the Junior Historian movement, and his efforts to make Texans realize that water, not petroleum or cattle, is their most precious resource. And certainly so long as men study the American frontier, Walter Prescott Webb will continue an earthy immortality.

But while we will respect his contributions to learning, we who knew him will remember his delight in relating an impious story, in being bested by an impertinent child or shine boy, in the latest drollery of Terrel Webb, whom he adored with all the happy blindness of a sophomore; his distinctive walk and his way of shuffling through a room without seeing anyone; his embarrassed pleasure in being complimented on a new suit or a new Stetson; his excitement when he was chasing a real estate purchase; his softie heart underneath his alligator-like exterior; his ability to get any friend to drop whatever he was doing and follow him like a disciple, and yet Webb never opportuned; his almost fearful—or was it Victorian?—respect for Eugene C. Barker—in a third of a century in the same department, he never called Barker by his first name; his disrespect for the Ph. D. degree or examination scores.

And we will remember things around here that were big at the time—how he introduced a no-confidence motion on President T. S. Painter, and how President Painter, with a spirit that most men couldn't match, year after year recommended him for a distinguished professorship, only to have a powerful regent veto the recommendation, an impasse that might have continued forever if James P. Hart hadn't given the regent his choice of Hart's resignation as chancellor or the honor that was long overdue Webb.

We will remember Webb lecturing the faculty on its poor sportsmanship when it was hung on dead center. All sorts of once-younger faculty and staff—Alton Burdine, Jitter Nolen, Oliver Radkey, George Watt, Harry Ransom, just to specify a few and give some idea of range—will remember that time of crisis in their respective lives when Walter Webb, who hardly knew them, seemed to appear from nowhere with the suggestion, "let's go to lunch," or "let's go out to Friday Mountain"; and without knowing it, the man was pouring out his problem and if it weren't solved, he knew at least that someone cared.

Webb is all around Austin, in people, in places, in incidents. Archie Lewis wrote at the time of his death—"we shall never see his like again." This is one time I wish Archie were wrong, but unfortunately I have to agree with him. If part of the purpose of life is to leave the world and its people better than you found them, Walter Prescott Webb fulfilled his purpose. As much as I distrust comprehensive adjectives, I would be less than truthful if I didn't say that to untold numbers of us—and to each of us for a different reason—he is irreplaceable. He leaves our lives richer, but with such a hurt and emptiness.

[From the Houston Post, Mar. 12, 1963]

WALTER PRESCOTT WEBB LEFT IMPRINT ON STATE AND NATION

He was born in east Texas in 1888; 6 years later his family moved to the Western frontier that would dominate his life, his thought and his provocative legacy to Western culture. Walter Prescott Webb is perhaps the only Texan ever to alter the mind of man. He was killed last week on one of the highways that helped cause his frontier to vanish.

He made it possible for man to see the present—this century—not as a continuation of but as a break with the past. His work was inspired, of course, yet its roots were prosaic. He took what everybody already knew, but he put it together with meanings that had previously escaped detection. That is called thinking.

Yet this scholar, this thinker, never saw an ivory tower from the inside. Few know that he died a wealthy man. He saw no reason why a college professor should be poor, so he began buying Austin land during the great depression, financing his early investments with the profits from a textbook. "Just get in the way of progress," he said; he bought land that others later needed.

His appearance recalled his boyhood, for he looked—and talked, too—like a west Texas cattleman come to town in his store clothes. One saw Webb as a professor only with effort, only with the knowledge that he had filled an important chair at Oxford University, that two of his books were studied throughout the world. The thousands of students whose hearts and minds he won at the University of Texas thought of him as preeminently a scholar only after an interval of years separated professor and students.

His monuments are two of his books—"The Great Plains" but especially "The Great Frontier." It is the latter work that will give his reputation its strength. Only recently has the book, which was published in 1952, begun to shake free of the opposition that could have been expected in an optimistic culture.

Describing a frontier as "a vacancy inviting occupancy," Webb showed that since 1492 history was shaped mainly by the expanding frontier, which created a 400-year boom ending early in the 20th century. The frontier created the institutions of democracy and capitalism; with the frontier gone, he said, democracy and capitalism will be altered.

Few men of his time lived richer lives; perhaps none could have died so content. Weigh Dr. Webb by his affections, his loves: Good food, good company, above all good talk; his Friday Mountain Ranch, near Austin, with its great L-shaped Johnson Institute, a two-story ante bellum structure built of stone; and always his coming to grips with the frontier, not as a cowboys-and-Indians subject, never to escape the present but only to reveal the future.

A man of well-tempered crotchets, of seasoned frugality, stern of face and merry of disposition, a man with the rare capacity to infect others with his own glow of life, Walter Prescott Webb used life to his heart's content, but was infrequently used by life, for 74 years. And he informed his State and his Nation with inspiration.

His epitaph might well read: "Here, but for his grace and power, would lie a college professor."

[From the Houston Post, Mar. 12, 1963]

HISTORY MAY DECIDE WEBB WAS WRITER OF THE CENTURY

It may well turn out that Walter Prescott Webb, the historian who was buried Monday in the Texas State Cemetery at Austin, wrote the most important book that was written anywhere in the world in this century.

It is also likely that nobody now living in the world—not even the tiniest child—will live long enough to be sure. It is not that depopulation and massacre by nuclear warfare are necessarily so likely; it is only that new technologies and the mere random and almost incomprehensible physical events come so fast now that man's future has become less predictable than at any other time since he first appeared in the world. Man is now traveling through history almost as fast as he travels through space and much less controllably.

That book was "The Great Frontier." In it Webb undertook to study, not particular aspects of the North American scene as in his other books, but the course of the Western World, the same theme that had occupied Oswald Spengler and Arnold Toynbee.

Between the two wars, there was a great cult of Spengler in what for want of a better term one must call intellectual circles. There is still a cult of Toynbee. Webb, although widely attended both here and in Europe, attracted fewer devotees.

But to people of a certain turn of mind Webb's account of the course taken by the Western world is more convincing, if less picturesque, than those of Spengler and Toynbee. Webb's great quality was a sort of calm and massive commonsense, much like that possessed by Charles Darwin, a willing-

ness to follow the evidence wherever it might lead instead of beginning with a theory and then looking for evidence to support it.

Webb decided that the fantastic 500 years' flowering of Western Europe—say, between Prince Henry the navigator and Adolf Hitler—came about chiefly because the West found a frontier to plunder and occupy; that it was the capital accumulated by plundering that frontier—the Americas and Africa, as well as the ancient nations of the Far East—which really brought about all the cumulative marvels of modern science and technology, the productiveness of the industrial revolution, and the astounding abundance now enjoyed in a few happy countries of the West, where, for the first time since the wheel and the plow came into use during the new stone age, men can easily produce more food and more luxuries of every kind than they can eat or put to use.

Whether Webb's interpretation is right or wrong, it is an astonishing story. When Henry the navigator of Portugal first started sending out expeditions to explore the coast of Africa and look for a sea route to the Indies, the petty kingdoms of Western Europe gave little promise of ever amounting to much. The great power in that part of Eurasia was the empire of the Ottoman Turks. What seems still queerer is that those petty peoples of Western Europe had no advantage over the Turks or even the Chinese in science and technology and very little advantage over the Aztecs whom they were yet to discover in Mexico.

They had gunpowder, indeed, but the arquebus was a less efficient weapon than the crossbow. The peasants in Europe plowed their fields with ox-drawn wooden plows and sowed wheat by hand, as in Roman or Egyptian times. The roads were so muddy that most travel was on foot. Wealthier people rode horses. People rich enough to light their houses at night used candles or torches. There was no electric light, no gaslight, no kerosene lantern, not even a whale oil lamp. There was not a telescope, a rubberband, or a paper clip anywhere in Europe. There was not a watch that would keep time. Not even the flintlock musket had been invented.

The only item of technology those fellows had that really worked was the sailing ship. They set out in those frail and tiny craft and plundered the world of its gold, silver, fish, furs, sugar, chocolate, tobacco, and ship timber. They accumulated the capital that cleared the way for the scientists and the inventors, for Galileo, Newton, Franklin, Watt, Faraday, Edison, the Wright brothers, and all the rest.

[From the Fort Worth Star-Telegram, Mar. 12, 1963]

WALTER P. WEBB

There is almost an irony in the death of Dr. Walter Prescott Webb, Texas distinguished historian of the U.S. western frontier, in an automobile wreck on a modern superhighway.

His passing, however, is a reminder of the closeness of history to all of us and the regard its chroniclers can win if they are attuned to its meaning and have the genius to interpret it.

Dr. Webb was almost an Olympian figure in the area of his specialty, but his eminence arose from a deep and abiding love of his region and his State and his understanding of their place in the total history of mankind.

He was a gifted writer, perhaps first a writer and then a historian. He was a great teacher at his alma mater, the University of Texas. Although the most productive years of his life had already passed, his death at 74 was a tragic truncation of a career which might have resulted in yet new contributions to America's knowledge of its past and new appreciation of its present.

(Funeral sermon by Dr. Edmund Heinsohn, Mar. 11, 1963)

DR. WALTER PRESCOTT WEBB

Dr. Walter Prescott Webb was born in Panola County, Tex., on April 3, 1888, and departed this life on March 8, 1963, having reached the age of 74 years, 11 months, and 5 days. He leaves surviving his wife Mrs. Terrell Maverick Webb, of Austin; his daughter Miss Mildred Alice Webb, of Austin; and two sisters: Mrs. Ima Wright, of Austin, and Mrs. Ruth Nations, of San Angelo. Many are praying today that Mrs. Webb, Miss Mildred, Mrs. Wright, and Mrs. Nations may be comforted, and that Mrs. Webb may experience a complete restoration to health and strength.

Herbert Butterfield, British historian, in his "Christianity and History," describes history as being "the business of making personalities, even, so to speak, by putting them through the mill; and though it fails us if we expect it to hand us happiness on a spoon, its very vicissitudes bring personality itself to a finer texture."

Butterfield sees history in two aspects: first, history as "part of that historymaking which goes on almost, so to speak, above our heads"; second, the characteristic of a historical religion which he sees "to be rooted in earthiness and to have a vivid apprehension of material things."

It was a far piece and great distance from that poor farm in Stephens County to the giving of the Harkness lectures in American history at the University of London and the serving as Harmsworth professor of American history at Queens College, Oxford; it was a far piece and great distance from the little newspaper office in Ranger, Tex., where he picked up discarded newspapers and magazines, to the presidency of the American Historical Association and the giving of an address to the International Conference of Historians in Paris. In these intervening years history produced one of our Nation's finest men and one of the world's greatest historians.

We deal first with Dr. Webb, the historian. The cost of the journeys to which we have referred involved much more than boat and plane passage. It involved the acceptance and practice of rigorous intellectual disciplines, and years and years of hard work. During his student days here at the university he had a certain toughness of body and of mind. This toughness has stood him in good stead, for without it he would not have survived as history put him through the mill to turn out a great historian.

As historian he was not a photographer; he was an artist. In the Austin Town and Gown Club men undress their minds. It was always an exciting privilege that members of Town and Gown had when they watched Dr. Webb undress his mind. One close friend said that Dr. Webb was the most powerful thinker he had known, that Dr. Webb could wring more meanings out of facts than any man within his knowledge. This same friend remarked that Dr. Webb never permitted the evidence to obscure the truth. Some men pile up evidence to arrive at the truth. But this was not Dr. Webb's method. With unusual perception he could see immediately through a mass of material to the truth. And then he would marshal the evidence, not for the purpose of proving a point, but for the purpose of embellishing the truth as he had already perceived it. Many men have come to the university faculty and have gone, but he stayed, and here he spent his years looking down the long gun barrel of history; here he has written down what he has seen and his interpretations of what he has seen. We believe that all the while his study of history has been informed by that history which is being written above our heads.

Now, Dr. Webb, the man. History has run him through the mill and has produced not only the historian, but also the man. It would be impossible to bottle him up in the university community, because in a rare sense he belongs to the entire human race, the entire human family. He loved all kinds of people, he loved the sinners, but not their sins. Shine boys and members of all classes and races were his friends. He and an associate made a trip to Kingsville where he was to deliver a commencement address. It took him 5 days to go and return. In every community he wanted to stop and get some friends for a coffee drinking conversation. Many of these friends were not academicians. But to him they were important persons. In a great university, what the administration thinks, is important; what the student body thinks, is important; and what the faculty thinks, is important. The faculty did not always follow Dr. Webb, but the thinking of the faculty was never ready to jell until first the voice of Dr. Webb had been heard. Men of power, whether power of material wealth, power of position, or power of brain, sometimes can be mean. Dr. Webb was never mean. He was blunt and gruff at times, but never mean. He had an innate courtesy and a genuine sympathy that a member of the University of Texas administration said could not be accounted for except by saying that these were rooted in a good heart. He was averse to hurting the feelings of others. Sometimes to avoid becoming involved in an argument he would simply state his position and then disappear.

To the basic loyalties of life he was true. The elemental human relationships he would not violate. He was also true to himself, and to do this he kept himself in proper perspective. He said that when he thought himself "a big shot," all he needed to do to get himself in right perspective, was to go to San Antonio and stand on the street corner at the Gunter Hotel and ask himself how many of the passing crowd had ever heard of Walter Webb, and how many knew of the University of Texas and had any interest in it. Seeing himself in proper perspective made it possible for him to be courageous and unafraid. A short time before his controversial article in Harper's magazine appeared, he and two friends were together in El Paso. Both of these friends warned him that if that article was published he would lose every friend he ever had. He was silent for a few moments, and then answered: "I can't help it. I'll have to publish it." He had a conscience about helping students who were in need of help. Applicants for help were never asked about their grades. This was his way of trying to pay the debt he owed to William E. Hinds, the man who had made possible his early college education. A man came into Dr. Webb's office one day for financial assistance. Another faculty member came in a short time after the visitor for help had left. The faculty member inquired if Dr. Webb had had a caller and if he gave him anything. Dr. Webb replied that he had let the man have $100. The faculty member retorted: "That fellow is a professional bum; he has gotten money from a number of men, is leaving the city and is down at the railway station now." Dr. Webb jumped up and said: "I'll get that guy." He rushed down to the station and found the man already on the train. Dr. Webb boarded the train and found his man. Later in the day the faculty member saw Dr. Webb and asked him what had happened when he confronted the man. Dr. Webb answered: "You know, that fellow was so open and aboveboard about the whole matter, I let him have another $100." Dr.

Webb always liked a consummate artist, even though he be a crook and scoundrel.

Beneath his occasional bluntness and gruffness there was a fine sensitivity. He could even become deeply sentimental. The Friday Mountain Camp had meant much to him. He could cry while giving expression to his great concern for the preservation of the grass at Friday Mountain Camp. He was asked one time if he had ever done anything *that now he looked* back to with regret. The answer came in the affirmative. He had been visiting Houghton Mifflin in Boston, and he was given a copy of Walter Millis' "The Road to War" to look over. The jacket on the book was in vivid red. He went out into a park to sit down. He had the book lying on the bench beside him. Two little Italian children, a girl about 9 years old, and her little brother about 5 came by. It was obvious that they were poor and dirty. The little boy was attracted by the book, and he edged up to the bench and was reaching his hand out to the book, whereupon Dr. Webb reached out and pulled the book away. As he did so, the little girl very calmly said to her brother, "Don't touch the book, it's too nice for you." There was no resentment and no complaining by the little sister, just a statement of fact. "It's too nice for you." Dr. Webb said: "I would give anything to be able to live that over, and not to move the book away. It has bothered me for years."

We come to the end of Dr. Walter Prescott Webb's earthly career, and what do we have to say? Well, we bring an epitaph: "An Honest Preface With Still More Frontiers Ahead."

[From the Austin (Tex.) American, Mar. 9, 1963]

TEXAS COUNTRY BOY: WEBB NOTED FOR HISTORIES

(By Nat Henderson)

The personal history of 74-year-old Dr. Walter Prescott Webb closed Friday night in a tragic automobile accident near Austin, but the histories he left behind will remain classic examples of nonfiction for posterity.

Dr. Webb, a country boy born in Panola County in 1888, grew up to write primarily about the great West in which he was reared. In doing so he gained international fame for his chronicles of the West among other historians, critics, scholars, and the ordinary readers who read his renowned history books only because they also loved the West.

Dr. Webb not only was a respected author and historian. He taught the subjects he wrote about to thousands of students over a period of almost 45 years.

Webb entered the University of Texas in 1909, but did not receive his bachelor of arts degree until 1915. Nine years after becoming a freshman, he was an instructor of history at the university.

Until his death Friday night, he had taught continuously at the university except for brief periods as visiting professor at several other universities and colleges around the world.

His visiting professorships were at the University of North Carolina, Northwestern University, Harvard, University of Wyoming, University of Montana, Rice University, University of Houston, and the University of West Virginia. In 1938 he gave his famed series of Harkness Lectures at the University of London. In 1942–43 he was a visiting professor at Queens College of Oxford University.

After becoming an instructor at the University of Texas, he was awarded a masters degree in 1920 and doctorate in 1932. He was honored many times with honorary degrees from other universities.

Dr. Webb first gained international fame as an author for "The Great Plains," which won him the Loubat Award. He won the Collins Award for "The Great Frontier," and received the $10,000 award from the American Council of Learned Societies for serving as editor in chief for the monumental work, "The Handbook of Texas."

Dr. Webb himself considered the two books were the most ideal of his writings. However, all of his books were acclaimed by critics as superb examples of histories.

His book, "The Texas Rangers," was filmed by Paramount Pictures in 1936. Among other noted writings by Dr. Webb were "Divided We Stand," "More Water for Texas," and "An Honest Preface."

Dr. Webb was a former director of the Texas State Historical Association and edited its Southwestern Historical Quarterly for several years.

He was president of the American Historical Association in 1958 and president of the Mississippi Valley Historical Association in 1955.

In spite of the time taken for his prolific writings, Dr. Webb continued to teach until his death, even during the last 2 years when he was working under a $91,000 Ford Foundation grant for videotaping the great names in contemporary history into an integrated course in American civilization.

Although all scholars and critics respected his abilities as a teacher and author, some of his historical theories nevertheless brought sharp criticism. A story he wrote for Harper's magazine picturing the American West as a desert of varying intensity in the cultural, geographic, political, and historical fields touched off the biggest storm of his career. Chambers of commerce from 17 States howled loudly about the article.

His book, "Divided We Stand," brought much criticism from the South in 1937. But it touched off such a storm of political and economic soul searching that President Franklin D. Roosevelt designated the South as an area in need of much economic aid after he had read the book.

Among Webb's many honors were Guggenheim Fellowships and a Bureau of Reclamation Award.

Webb's courses at the University of Texas and his lectures at other universities, along with his many books, resulted in his being invited to address the International Congress of Historians of the United States and Mexico and the International Historical Congress in Paris. In addition to his books, he authored numerous articles and pamphlets.

FOR YEARS WE THREE SAT TOGETHER

(By J. Frank Dobie)

Walter Prescott Webb and I were born in the same year, 1888. He belonged to one drought-scarred part of Texas, I to another. His father was a country school teacher who homesteaded a quarter-section of poor land; mine was a rancher who rather expected that education would lead his sons to a better occupation. Webb came to the University of Texas as instructor in history in 1918, while I was a soldier in France, 4 years after I had come as instructor in English. We advanced concurrently, along divergent ways, as underlings at the university.

Our friendship developed more after about 1930, it seems to me, but I was never close to him as I was with Roy Bedichek, the dearest comrade of my life. Webb had sides never revealed directly to me. Bedichek died shortly before noon of May 21, 1959, while sitting in a chair waiting for his wife's cornbread to cook so that he could eat an early lunch and then drive me and Wilson Hudson in his pickup out to Paisano, my place on Barton Creek in the hills west of Austin. When he drove to where cedar stumps were available he liked to haul some in for his fireplace. As writers and men, Bedichek, Webb, and Dobie have been linked together—mostly by Texas people—many times in speech and in print.

On the evening of March 8, 1963, two other men and I sat down as guests with Frank Wardlaw in his home. He said, "Walter Webb thought he would join us, but he will be late." After conversation and "the better adjuncts of water," we went to a Mexican restaurant. Nobody knew where we were. Before we got back to our homes a number of people had tried to telephone Wardlaw and me. About 6:30 o'clock Webb and his wife had been found on the ground near their overturned car, he dead and she so severely injured that she had to remain in a hospital for 3 months.

Bedichek was a kind of peg on which my happiest associations with Webb hung. For years we three sat together, with other men, at the same table during fortnightly dinners, "papers," and discussions of the Town and Gown Club of Austin, but talk at our table was seldom so free and personal as it always was at prolonged picnic suppers in the country. Bedichek was the habitual planner of these supper parties, also cooker of the steaks. A vegetarian by philosophy in the later years of his life, he never threw off on his own steaks. The earliest of these picnic suppers that I remember were not far beyond the Rob Roy ranch, some distance off the Bee Caves road in the hills west of Austin. Bedi liked to camp high up. At one hilltop camp we looked down on bullbats (nighthawks) booming as they dived for insects. After Webb, in 1942, acquired Friday Mountain ranch, a location there on Bear Creek became our supping and conversation grounds, though in the fifties we went several times to a place I then owned in Burnet County named Cherry Springs—on account of wild cherry trees growing by Fall Creek.

I got so that I took along potato salad prepared by Bertha Dobie as nobody else could prepare it. Someone might take something else, but Bedichek brought steaks, bread, tomatoes, lettuce, beer, and so on, and then saw that each man paid his share. Nobody was host and the drinking was moderate—one can of beer for Bedi. Webb did not really care for any. When he took whisky, on other occasions, a jigger without water would do him all evening. He had not drunk at all until he was about 50. Sitting with the dons after dinner at his college in Oxford, he had developed a mild taste for wine. He craved coffee, which Bedichek was particular in boiling and which he furnished, along with pot, tin plates, knives and forks.

Mody Boatright and Wilson Hudson, both of the University of Texas English department, were regulars at these campfire suppers. After Frank Wardlaw came as director of the University Press, he added to talk and geniality. Any time that John Henry Faulk or Glen Evans was in town, he was there. One time, during World War II, Faulk brought an Englishman along, and in capping limericks with each other both proved themselves bottomless artesian wells. I remember Coke Stevenson, then Governor, saying at one supper—the only one he attended—that the American frontiersman carried a rifle, and axe, and a Bible. This was at Friday Mountain. We were by the same water when Homer Price Rainey, president of the university, told us that the regents were out to gut him. Ours was no club in any organized way, and we never had regular gatherings, but all of us were liberal enough to be for Rainey and against the reactionary regents who for several years dominated the university.

While dismissing Rainey, the regents, in October 1944 elected Dr. T. S. Painter as acting president. Immediately thereafter he said in a letter addressed to the faculty: "I want it definitely understood that I am not a candidate for the position of permanent president, and I would not accept it if it were

offered to me." The regents wanted an agent. Before long it was clear that they had what they wanted. When, in May 1946 they elected him president and he accepted the offer, a caucus of faculty men asked Webb to formulate their opinions. At a special meeting of the faculty a few days later Webb countered a resolution "assuring President Painter of our support and cooperation" with one expressing "deep regret that Dr. Painter has not reciprocated the trust the faculty reposed in him, but has, on the contrary broken faith and violated his pledge." The Webb motion of disconfidence failed to carry by a vote of 160 to 186.

His "Divided We Stand" (1937) was a stand for fairness. Based on figures in the World Almanac and the U.S. census, it made out a case against the prospering North for keeping the South in poverty as a colonial dependent until Franklin D. Roosevelt and the New Deal reversed the trend. Later Webb made clear that vast oil fields and rising industrialism in the South resulting from World War II advanced the region's prosperity.

Few other men of his stature and intellectual power had experienced so intimately the choke of poverty. The extremity of it is set forth in his essay, "The Search for William E. Hinds." As prosperity made him aware of the independence that it gives to an individual, he became, it seems to me, more actively considerate of that basis of freedom for other individuals and for Texas and the South.

In his later years Webb drew a good salary as distinguished professor. Beyond salaries (and motion picture rights amounting to $10,000 on his book "The Texas Rangers") he prospered through investing earnings from teaching and writing—especially from two textbooks—in real estate. A few years ago he drew up a plan to enable faculty members of the University of Texas who so wished and who had the money to invest in real estate. This plan, as far as I know, never got into operation.

Several times I heard him speak of the influence of L. M. Keasbey on his life. Before World War I, Keasbey, a professor in the university, gave a course on economics—though it was entitled "institutional history"—in which he emphasized one way to get rich: invest in land that the activities of an increasing population will make more valuable, very valuable if the land be chosen judiciously. At the time Webb was absorbing directions to the "unearned increment," an Austin peddler and then wholesale shipper of vegetables named M. H. Crockett took the Keasbey course. He, as I observed and as I heard him tell with pride, became expert in anticipating traffic routes of the city; he died one of the richest property owners in it.

Webb wrote little on civil rights. A few years after the decision of the Supreme Court of the United States on the desegregation of public schools, he could write and speak on the South's advancing economic prosperity without touching on the Negro economically or otherwise. Yet he did not ignore the subject. In a paper to have been delivered at Rice University shortly after he died, he said: "The southerner is so concerned with the racial issue that he has no time for anything else. This is the first issue that has plagued the South since 1820. The racial issue is too heavy to move; it is too green to burn; the best we can do for the present is to plow around it and cultivate the rest of the field."

Friday Mountain Ranch in the hills 17 miles southwest of Austin, consists of approximately a section of land that was, when Webb acquired it, eroded, devoid of humus, bare of vegetation beyond trees, cedars on the hills, and broomweeds in the valley. He had wastage accumulated at cotton gins east of Austin hauled out to spread on the ground. He applied commercial fertilizer to plots no longer tillable. While he was Harmsworth professor of American history at Oxford University, 1942–43, he gave his address to the English "Who's Who" at Friday Mountain Ranch, Austin, Tex. He belonged to it. During the terrible drought that began late in the 1940's and did not end until 1957 he made slow progress in restoring the soil and growing a turf of grass—a turf that reached its climax the spring he died.

He figured that the land should someday pay for the expenses he had been out on it. It did, by increase of real estate prices. Beyond all, he valued and enjoyed grass for itself, beautiful on any land, the mark of bounty on ground once impoverished. Several times when I was with him where grass flourished I saw him gather seeds of sideoats grama, little bluestem, Indian grass, and switch grass to take to Friday Mountain and scatter around. I suppose he bought seeds by the bushel also. In planning near the end of his life to transfer title to the land, he chose as purchaser a friend, Rodney Kidd, who would maintain the turf.

He was not a naturalist in the way that Bedichek was, but he observed. Twice at least he told me that we had missed much out of life by not learning botany while growing up in the country. One time as four or five of us were riding in a car along Fall Creek in Burnet County he called out to halt. He had spotted a hackberry, about 20 feet high, growing up through the hollow trunk of a big dead live oak. He did not swim, but the pools of water impounded by dams he had constructed across Bear Creek gave him as much pleasure as any swimming hole ever gave any swimmer.

His brief book "Flat Top: A Story of Modern Ranching," printed and published by Carl Hertzog of El Paso in 1960, is on grass and a man of grass named Charles Pettit. In 1938 Mr. Pettit bought 7,000 acres, to which he added 10,000 of wornout, eroded farms. Year after year he combated weeds, prickly pear, and other competitors of grass. Year after year he applied fertilizer, planted clover, put out seeds of native grasses. He impounded over 3,400 acre-feet of water, brought back a turf of grasses waist high. After living with the land for a quarter of a century, he made the ranch pay. "The man really loves grass," Webb wrote. If Webb also had not loved grass, he would never have written this account of a model ranch in conservation practices.

About the time I was leaving for England late in 1945 to teach in a GI university, a civilized man of wealth who demanded anonymity granted a sum of money to relieve Roy Bedichek for a year from his duties as director of the Interscholastic League of Texas. He had a book to write. Webb invited him to take over a big upstairs room with a fireplace in the old Friday Mountain rock house, originally built for a boys' academy. Here, eager in his liberation, Bedichek made shelves of apple boxes to hold his books, carried water by bucket from a dug well, brought up wood, cooked over the fire. Through the year 1956 he worked at a table in front of the fireplace.

Chickens mechanically grown in rooms downstairs did not bother him. In fact, he based one of his richest chapters on "Denatured Chickens." Association with himself, letting his richly stored mind play, adding meanings to long-accumulating observations on people, birds, wild flowers, trees, and other forms of life, he achieved "Adventures With a Texas Naturalist." Published in 1947, it was 14 years later taken over by the University of Texas Press, an institution that Webb, more than any other man in the faculty, had furthered. "The Bedichek Room" remains, through Webb and Rodney Kidd, a feature at Friday Mountain.

Webb's "The Great Frontier," officially published December 8, 1952, won the Carr P. Collins award of $1,000 given annually by the Texas Institute of Letters. His response to the presentation was the after-dinner address to the institute, and mighty fidgety he was before dinner. He asked me, also others, to notice how people received what he had to say, something so intimate to him that he shrank from making it public. He read his say. It was the most moving I have heard any man utter. It moved deeply all who heard it. He waited a long time to publish it, with some added details, under title of "The Search for William E. Hinds," in Harper's magazine, July 1961. Reader's Digest published a condensation of it the following month.

The subject of autobiography came up several times among us while Bedichek was still on hand, iterating that he lacked the genius of Jean Jacques Rousseau for confession. As Webb was leaving my room one day in 1960, I again spoke about autobiography. He volunteered that he had written one while at Oxford University, 1942–43. He did not go into detail. The whole cannot, I believe, have anything else so intensely, so poignantly personal as the chapter in which he tells of a response received in 1904 to a letter he had written to the letter column of the Sunny South. It was from William E. Hinds of New York, an utter stranger, not only commending his ambition to be a writer but offering to send him books and magazines. Later this William E. Hinds urged him to get a college education and loaned him money while he was attending the University of Texas. Hinds died 45 years before Webb's obligation to him became a chapter in published literature.

It resulted in many letters from unknowns, some sending money to help students as Hinds had helped Webb. For years he had been concerned over some way to requite Hinds and had given financial aid to able but needy students. He now set up the William E. Hinds scholarship fund at the University of Texas. After his death a check donating money to it was found in his pocketbook; it is an ultimate beneficiary in his will. The Hinds-Webb scholarship fund is now the official name.

I have no recollection of having heard Webb speak at any time of his soul, his religion, or God. He belonged to no church, ignored churches, liked some freethinkers, some churchmen, especially Dr. Edmund Heinsohn, long pastor of the University Methodist Church in Austin. After Heinsohn became a member of Town and Gown years ago, he often sat with Bedichek, Webb, and Dobie. He conducted Bedichek's funeral services, reading into them an interpretation of the man's character. At Webb's funeral he read an interpretive sketch of Webb's life. "I remain an agnostic," Somerset Maugham wrote in "The Summing Up," "and the practical outcome of agnosticism is that you act as though God did not exist." As far as I can see, Walter Webb's positive goodness bore no relation to what is called God. His conduct was not determined by Biblical injunctions or by expectation of reward in some sort of post mortem existence. His mother is said to have been a fundamentalist, his father a skeptic who read the Bible in order to refute more specifically some of her credulities.

I cannot imagine Webb's "praying for guidance," but at one time he believed in something beyond. After he married in 1916 he was teaching in San Antonio and became so low spirited over the future that he, as I recall his story, was about to take a job in a jewelry store. He consulted a noted fortuneteller known as Madam Skirls. She said: "The child will be a girl. I see nothing but books." With books he continued.

If the radical right appeared unjust and undemocratic to him, the radical left increasingly annoyed him. He was not a crusader and was not contentious. He sometimes wished, he once told me, that he did not have to think. He hungered after brightness and cheerful talk. His sense of humor tended to progress from anecdotes of rusticity to sharp wit. He loved stories, especially of people, and told them well. He held—at one time, at least—that a certain strengthening of the mind comes through playing poker. He liked to play poker and played with skill.

One time while we were walking along the railroad about Third Street in Austin, we stopped beside an oldtime locomotive, stationary, throbbing with power. Webb said, "That is the greatest manifestation of power in the world." I told him that out of respect for its symbolism of power, Dr. Sanders, professor of Latin and Greek at Southwestern University about the beginning of the century, would remove his hat in salute to a steam engine pulling a train past him.

Whether Webb actually ever hated anybody I cannot say. I never heard him express hatred of any kind. He could be caustic, as when he wished that birth control had been in practice before a certain individual was born. He was more inclined to set forth the facts about a man than to praise or condemn. He inclined to the policy of Gov. Jim Ferguson, who said, "I never use up energy hating." He was tolerant of human vagaries. He had developed as professor and historian under the late Dr. Eugene C. Barker, for years head of the history department of the University of Texas. Barker's directness and his integrity were admirable. I myself owe considerable to him. The older he grew, the more conservative, even reactionary, he grew. He seemed in his later years to think that the masses of mankind need a kind of dictatorial direction in religion, politics, and other regions of life. While Dr. Barker became hostile, in his acrid way, to the New Deal and a strong bolster to the by-no-means-intellectual regents who deposed Rainey, mainly for being a New Dealer, Webb was strong for Franklin D. Roosevelt, as he was later for Truman. But he was never against Barker. "I did not understand him," I heard him say, "but he was my friend and supporter. He was open, generous, fearless. I remember him with respect."

Webb maintained a dim view of certain English teachers under whom he had studied in the University of Texas. He acknowledged no debt to them in mastering the craft of writing. Some time in the 1920's he was avidly reading O. Henry and trying out his own hand on short stories. I remember one based on an electric sign above Joske's store in San Antonio that every night flashed on the picture of a cowboy roping a steer.

I wish he had written more on the craft of writing. I quote from his essay "On the Writing of Books," published in the Alcalde, June 1952 (and repeated with changes and additions in his presidential address to the American historical association, reproduced in the Texas Observer, January 24, 1959):

"It takes a good deal of ego to write a book. All authors have ego; most of them try to conceal it under a cloak of assumed modesty which they put on with unbecoming immodesty. This ego makes itself manifest in the following ways: (1) The author believes he has something to say. (2) He believes it is worth saying. (3) He believes he can say it better than anyone else. If he ever stops to doubt any one of these three beliefs, he immediately loses that confidence and self-deception—that ego, if you please—so essential to authorship. In effect, the author, to write a book, spins out of his own mind a cocoon, goes mentally into it, seals it up, and never comes out until the job is done. That explains why authors hide out, hole up in hotel rooms, neglect their friends, their family, and their creditors * * * they may even neglect their students. They neglect everything that may tend to destroy their grand illusion."

The longer Webb jousted with words and thoughts, the finer tempered his blade became. His use of the specific to bring home an idea suggests in style Jesus' application of the parable. His "The American West, Perpetual Mirage" (Harper's magazine, May 1957) is as brilliant as any historical essay I have read. With what economy does he set forth the core:

"The overriding influence that shapes the West is the desert. That is its one unifying force. It permeates the plains, climbs to all but the highest mountain peaks, dwells continuously in the valleys, and plunges down the Pacific slope to argue with the sea."

Webb's generalizations are conclusions drawn from and supported by the concrete:

"Western history is bizarre because of the nature of what it has got. The historians and other writers do what men have always done in the desert. They make the best of what little they do have. Westerners have developed a talent for taking something small and blowing it up to giant size, as a photographer blows up a photograph.

"They write of cowboys as if they were noble knights, and the cowmen kings. They do biographies of bad men, Billy the Kid, the Plummer gang, and Sam Bass, of bad women like Calamity Jane, of gunmen like Wyatt Earp and Wild Bill Hickok. They blow the abandoned saloon up into an art museum, and Boot Hill into a shrine for pilgrims. In Montana Charlie Russell is better than Titian, and in the Black Hills Frederick Remington is greater than Michelangelo. Custer, who blundered to his death, taking better men with him, found a place in every saloon not already preempted to that travesty on decency and justice, Judge Roy Bean."

Some commentators have characterized Webb as a great Texan. "We Texans," he wrote me in 1957, "have been as insular as Kansas—God save the mark." I remember well, with a certain personal shrinking, a period when his boundaries and my boundaries were to an extent circumscribed by the boundaries of Texas. Each of us in his way passed to a perspective beyond geographical lines, though each remained deeply marked by the land he lived in and by the inhabitants of that land. The greatness of Webb was as a man. "Man thinking"—Emerson's definition of a scholar—does not have around his head a band welded there by the confines of a province, by clerical ukases, or by any other mundane restrictions. Webb was not finely suited to life at Oxford University. He belonged to and marked the University of Texas. Only a few months before the end he published an opinion that it now had within its grasp the long-sought-for status of "a university of the first class." All the while he maintained the critical judgment of "man thinking":

"Men at Oxford are free to follow their compass of truth wherever the needle points without looking over their shoulders to see what hounds are pursuing them. Professors are not even under suspicion. An Oxford man can attend a mass meeting in London and participate without jeopardizing his job. England is not afraid to have views expressed. England, with all its apparent stupidities, seems to know what a university really is."

In "For Whom the Historian Tolls," in "An Honest Preface and Other Essays," with an introduction by Joe B. Frantz (1959), Webb provided this economical illumination:

"Articles by historians in historical journals are correct, the sentences usually—after the editors get though with them—are grammatical, and the footnotes are properly right at the bottom of the page. But one finds in them little charm, few vivid figures of speech, and practically none of that soft luminosity—an indefinable quality—which suffuses good writing. The reader may be informed, but he is rarely lured, enthralled, or captivated by the art of the performance."

Webb's chief research was for facts to lead to understanding. His superiority as an historian lies in his perception, his power of thought, his mastery of language, his interpretations of the land and the ever-evolving currents of human affairs. Not long after his first major book, "The Great Plains," came out in 1931, Clem Yore of Colorado reported on a gathering of Western fiction writers who had been unaware of the meaning of barbed wire, windmills over wells drilled into the ground, the treeless plains themselves until Webb enlightened them. In his last big book, "The Great Frontier," he interprets the Western Hemisphere as a frontier for the expansion of Europe. He says plainly and emphatically that America has been consuming irreplaceable natural resources and that prosperity based on such procedure cannot continue. He even questions the continuance of democracy. This book came out during the outrage of McCarthyism and of the House Un-American Activities Committee's blackguard betrayals of human rights. Some fanatics, without reading the book, slammed it as an "un-American" rebuke to "free enterprise." Webb never considered boosters as exemplars of patriotism.

The first Mrs. Webb, Jane Oliphant, after having been married to Walter for more than 43 years, died in the summer of 1960, survived by a daughter, Mildred, of whom father as well as mother was very fond. In December of 1961 he married Terrell Maverick, widow of the late Maury Maverick of San Antonio, vivacious in mind and body, delightful and sensible too.

Considering his love for her and considering her marrying him, he said, "This is an unexpected dividend from life." He was openly naive in expressing joy in her being. He had, as it were, been born again. His happy ardency made his friends rejoice. During the summer of 1962 while he was lecturing at the University of Alaska, she unable to accompany him as both had planned, he airmailed a letter to her every day. He had never seemed so eagerly active over the publication of one of his own books as he was over publishing "Washington Wife," by Ellen Maury Slayden, the manuscript of which Terrell Webb had inherited and which both of them foreworded. They autographed the book in a San Antonio bookstore the last afternoon of Webb's life.

Any man who had seen and been a part of life wants to leave it before decomposing into a juiceless vegetable. Webb died standing up, as Caesar considered it meet for a man to die. In a flash he passed from wisdom and happiness to the finality of death. No person who has added as much to the heritage of human life as Walter Webb added ceases to be. His thinking, his writing, and his standing up will surely continue as elements of his projected shadow.

AN UNFASHIONABLE KIND OF HISTORIAN

(By John Fischer)

To the joy of his editors, Walter Prescott Webb was an unfashionable kind of historian. Some of his colleagues, indeed, regarded him

as a scandal to the profession, because he shamelessly practiced three heresies:

1. He believed that history was a branch of literature. Consequently he tried to write as well as he could; and he was still laboring to perfect his craftsmanship in prose almost till the day of his death. He had no patience with the view, so widespread among his contemporaries, that any scholar who writes with grace, clarity, and style must be a "popularizer," and therefore unsound. Quite the contrary: Dr. Webb cherished the old-fashioned notion that anything worth writing ought to be worth reading too, and that a wide audience in no way cheapened a conscientious author. The result was that he earned himself a place among that handful of contemporary American historians—including such people as Garrett Mattingly, Bernard DeVoto, and Barbara Tuchman—whose work is read by laymen with genuine pleasure. (In England, of course, this sort of historian is less rare; but the tradition there has seldom confused scholarship with pedantry.)

2. He believed that a historian's objectivity need not bar him from holding, and expressing, strong convictions. His studies—and his deep involvement in the life around him—led him to certain conclusions about American politics, economics, and leadership. He urged these views right out in public, even when they were considered unseemly—or downright dangerous—for a man in academic life. Dr. Webb expected retaliation, and he got it. For example, he always believed that his appointment to a distinguished professorship was delayed for years by members of the board of regents who felt that teachers should keep their mouths shut on public issues—especially when they disagreed with the Texas Establishment. But I never heard him complain about such treatment. "Anybody who walks into a fight," he once remarked, "has got to expect to get some lumps." I got the impression that he enjoyed the fight, and felt he had dealt out more lumps than he got.

3. He wasn't afraid to tackle big subjects. Now and then he would talk—with a mixture of sorrow, amusement, and contempt—about fledgling historians who would devote years of labor to some safe, respectable little theme such as "Some Aspects of Southwestern Agrarian Policy Between 1868 and 1875," for example, or "Sources of Economic Data on Early Settlements Below the Brazos"—two mythical Ph. D. dissertations he used to cite when bemoaning the caliber of latter day graduate students. For himself, Dr. Webb preferred subjects that offered plenty of elbow room. How the South and Southwest had been treated like exploited colonies of the predatory easterners * * * what the closing of the last frontier would do to society, not just in America but throughout the world * * * what price we would have to pay for our folly in building cities where God meant to have a desert: these were ideas of a size he thought worth tackling.

Some critics objected that his subjects were so sweeping as to be unmanageable, and that his intuition and eloquence occasionally outran his documentation. (They also were horrified when he expounded them, not in professional journals, but in Harper's magazine and other lay publications.) This didn't bother him. Dr. Webb thought of himself—if I understood him correctly—as a kind of scout on the frontiers of history. His job was to explore the terrain, to spot the big ideas, to discover new watersheds of the mind. More pedestrian characters could follow later, to document his findings and stake out the section lines with surveyors' accuracy. After all, Kit Carson never had time to carry a theodolite and plane table, either.

Immodest? Maybe so. Most big men (and good writers) are not noted for their modesty. In demeanor and personal behavior, I never knew a man more modest than Walter; but about his work he did have an outsized self-confidence. Indeed, I am convinced that this is an essential characteristic of any writer who amounts to much. The vocation is so lonely, demanding, and beset with discouragements that men with shrunken egos are likely to give it up pretty quickly for some less demanding work, such as plumbing or the oil business.

So I was not surprised when Walter told me one night, over a glass of bourbon, that his main ambition was to found a school of historians. He wanted to gather a band of disciples, who could grasp his main ideas and develop them in a series of books to be written over a period of maybe 20 years. He would like to serve as general editor for the series, and if he could get a foundation grant perhaps he could gather the main contributors together under one roof somewhere in Texas.

Well, it didn't work out quite that way; and perhaps he never really expected it to—after all, he was nearly 70 at the time of the conversation. But I could never be sure how serious Walter was about his future plans, because it never seemed to occur to him that he was growing older. He was always as eager to take on new projects—a major television series, a marriage, the editing of the Slayden Diaries—as if he were a youngster just starting out.

It was significant, I think, that the magazine article which gave him most pleasure was "The Search for William E. Hinds," published in Harper's in July 1961. This was really the story of his own beginnings, and of the unknown benefactor who helped Walter to climb up from the cotton patch. In his later years he had become obsessed with the notion that he ought to find out all he could about this obscure and long-dead New York businessman, and to create a literary memorial to Hinds' goodness. The result, in first draft, was overwritten and sentimental. A suggestion that a little editorial pruning might help made Walter indignant; but after snorting and stomping for a few days, he came around. The final version was still charged with emotion—with a deep feeling that the Webb debt to Hinds still had not been fully repaid—and it evoked a remarkable response from hundreds of readers. When the article was reprinted in the Reader's Digest, the flood of letters redoubled; many of them contained checks for the Hinds Fund, which Walter had established to help students as needy as he once was.

In our last conversation, Walter told me he was as proud of that article as anything he had ever written "because it moved so many people to do something worthwhile." This, I suspect, was the yardstick he applied subconsciously to all his writing. Unconventional as it may be for a historian, I don't know where any writer can find a better measure.

GOING TO PLACES IN THE PASTURE

(By Rodney Kidd)

Dr. Webb and I met at the Night Hawk on South Congress on a wet, rainy November day in 1946 and decided to open a boys' camp at his Friday Mountain Ranch in the summer of 1947. He gave his word and I gave mine and the agreement was in effect. He liked to operate on a simple, man to man basis, your word and his word. We did business that way for 17 years and never a cross word passed between us.

Mr. Bedichek told me, "Kidd, Dr. Webb is a very sensitive person. His feelings are very tender and they can be hurt easily. He is a man of few words. He will not impose on you and neither will he let you impose on him. You will always know how he stands on matters. You will find him intensely honest, and he knows how to make money."

After we had been in business for about a year, I found out that Dr. Webb had borrowed $10,000 to repair the old Johnston Institute Building on the ranch and to get things ready for the camp. I was a country boy from Georgetown and Kingsville, just out of a long depression and Southwestern University, and this move by Dr. Webb scared me. When I mentioned it to him, he said he did not tell me because he was afraid I would back out.

The ranch seemed to provide him the kind of relaxation, rest, and diversion he wanted and needed. He enjoyed going to the auction barns on Mondays with Mr. Garrett, either to sell or buy a few head of stock. Many times in the summer he would go without a coat, and one could see his wallet in his back pocket, with several hundred dollar bills exposed. Mr. Bedichek was afraid someone might rob him.

The year the camp opened, a 5-year drought began. Bear Creek and Onion Creek dried up, except for potholes of water. Windy Cove, a favorite swimming hole, and the Archer Pool were not fit for swimming. While I was primarily interested in working with the boys and developing their capacities, Dr. Webb was interested in restoring the soil, in resodding the native grasses, and in having fun with Mr. Garrett in his ranching program. Dr. Webb refused to have any thing to do with running the boys' camp. However, he liked to see the crowds from a distance, enjoying the beauty and tranquillity of the ranch. When the last parent had pulled out, he would come up to find out how things had gone. "Rodney," he would say, "you talk to the parents and run the camp. I will communicate with the grass and with nature. There is no back talk from my project."

Mr. and Mrs. Garrett were devoted to him. Mrs. Garrett always prepared the kind of meals he liked. Dr. Webb furnished the money and materials and Mr. Garrett the labor for a cottage that was the site of many happy storytellings, domino games, and plans to get rich in the livestock business. Dr. Webb told me he never expected to make any money from his farming, ranching, or hog raising. He explained that some men spent their money for country clubs, travel, wine, or other things, but he liked to spend his at the ranch, experimenting with Mr. Garrett's get-rich plans. Together they built barns, bought cattle, sold cattle, bought hogs, sold hogs, planted grass, cut cedar, and cleared land. They told a lot of stories but they never made money on a single project.

Mr. Garrett had a great deal of native ability but very meager education. He was a carpenter, mechanic, electrician, plumber, and stockman; he could do all kinds of chores around the ranch. Besides, he was a marvelous storyteller, and I think this is what Dr. Webb loved most. Gathered around the Garrett table, we would listen to the host tell about the time he was electrocuted doing some repair work at Robstown. The people called a doctor, and the doctor pronounced him dead; they called for the undertaker to come and pick him up. He could hear all of this, but he could not move an arm or a muscle, or raise his voice. He said he realized that unless something was done he would wind up in the funeral home and in a hearse on the way to the graveyard. Finally, he was able to move an eyebrow, and someone happened to see it. An hour later he was back on the job.

When Dr. Webb and Mr. Garrett were in the cattle business, Mr. Garrett would

get out his pencil and paper, and they would sit around the dinner table figuring how they could make $10,000 next year by planting a certain field in oats, another in maize, and by marketing their stock at certain seasons. Dr. Webb knew very well that these figures would not work out, but he said that this was a better life than belonging to a country club.

In June of 1962, while Dr. Webb was in Alaska, Mr. Garrett went down to the field to check on some sheep. While there, he had a heart attack and passed away. When I drove my car into the field to pick up the body, I watched his eyebrow for some time, hoping to see it twitch again. But the man Dr. Webb described as "the bull of the woods" was gone. I called Dr. Webb in Alaska. With the death of one of his best friends, Dr. Webb found that the ranch had lost some of its appeal, and his interest in farming and ranching began to wane.

Frequently, I would look out across the pastures at Friday Mountain and see someone moving about, bending over, examining the flowers, the weeds, the blades of grass. It would be Dr. Webb, going to places in the pasture where he had planted native grasses. He liked to bring to the ranch people who were interested in the soil, the water, and the grasses. Annually he purchased commercial fertilizer for the pastures where the land had been barren for many years. Bulldozers were brought in to remove the cedar from the hills so the grass and the oaks could grow. For many years no hunting was allowed.

Dr. Webb loved the simple, quiet things of life. He did not indulge in strong drink; he did not relate dirty and smutty stories; he was a great lover of the out-of-doors. I have been with him at the camp, in the woods, around campfires, at banquets, in hotels, with his family and with my family. At all times he was the same: humble, quiet, and considerate of the wishes and desires of others. He never pressed or pushed for the things that he personally might choose to do. He "cast a long shadow."

IMPORTANT PERSONS

In the course of his memorable oration at Dr. Webb's funeral, Dr. Edmund Heinsohn told some stories that brought Webb vividly into view:

"He loved all kinds of people. He loved the sinners, but not their sins. Shine boys and members of all classes and races were his friends. He and an associate made a trip to Kingsville where he was to deliver a commencement address. It took him 5 days to go and return. In every community he wanted to stop and get some friends for a coffee-drinking conversation. Many of these friends were not academicians. But to him they were important persons."

To the basic loyalties of life he was true. The elemental human relationships he would not violate. He was also true to himself, and to be so he kept himself in proper perspective. He said that when he thought himself "a big shot," all he needed to do to get himself in right perspective was to go to San Antonio and stand on the street corner at the Gunter Hotel and ask himself how many of the passing crowd had ever heard of Walter Webb, and how many knew of the University of Texas and had any interest in it. Seeing himself in proper perspective made it possible for him to be courageous and unafraid. A short time before his controversial article in Harper's magazine appeared, he and two friends were together in El Paso. Both of these friends warned him that if that article was published he would lose every friend he ever had. He was silent for a few moments, and then answered: "I can't help it. I'll have to publish it."

He had a conscience about helping students who were in need of help. Applicants for help were never asked about their grades. This was his way of trying to pay the debt he owed to William E. Hinds, the man who had made possible his early college education. A man came into Dr. Webb's office one day for financial assistance. Another faculty member came in a short time after the visitor for help had left. The faculty member inquired if Dr. Webb had had a caller and if he gave him anything. Dr. Webb replied that he had let the man have $100. The faculty member retorted: "That fellow is a professional bum; he has gotten money from a number of men, is leaving the city and is down at the railway station now." Dr. Webb jumped up and said: "I'll get that guy." He rushed down to the station and boarded the train and found his man. Later in the day the faculty member saw Dr. Webb and asked him what had happened when he confronted the man. Dr. Webb answered: "You know, that fellow was so open and aboveboard about the whole matter, I let him have another $100." Dr. Webb always liked a consummate artist, even though he be a crook and a scoundrel.

Beneath his occasional bluntness and gruffness there was a fine sensitivity. He could even become deeply sentimental. The Friday Mountain camp had meant much to him: He could cry while giving expression to his great concern for the preservation of the grass there. He was asked one time if he had ever done anything that he looked back to with regret. The answer came in the affirmative. He had been visiting Houghton Mifflin in Boston, and he was given a copy of Walter Millis' "The Road to War" to look over. The jacket on the book was vivid red. He went out into a park to sit down and laid the book on the bench beside him. Two little Italian children, a girl about 9 years old and her little brother about 5, came by. They were poor and dirty. The little boy was attracted by the book, and as he edged up to the bench and was reaching his hand out to it, Dr. Webb reached out and pulled it away. As he did so, the little girl very calmly said to her brother, "Don't touch the book, it's too nice for you." There was no resentment and no complaining by the little sister, just a statement of fact. "It's too nice for you." Dr. Webb said: "I would give anything to be able to live that over, and not to move the book away. It has bothered me for years."

WEBB MY TEACHER

(By Wilson Hudson)

On March 2, 1963, Walter Prescott Webb wrote this on one of the end leaves of "Washington Wife": "To my friend from away back." Our friendship began in 1925 and lasted until the fatal automobile accident on March 8. Through all the phases of his career he was the same—straightforward, cheerful, and companionable. He was always ready for a chat or a cup of coffee, no matter how busy he was.

It was my good fortune to take history 9 as a freshman under Webb and Duncalf, who has also left us. They took turns in lecturing to about 150 students in the big auditorium of the old Law Building. On Fridays we were divided into quiz sections, and Webb happened to be my quizmaster.

He lectured from notes, with the corners of his mouth turned down as if he were not particularly enjoying what he was doing. It has been my impression that he did not care to speak before large groups of people, nor did he like to get very far from written copy. He had the information and he knew how to impart the maximum in 50 minutes; he did not consider himself an entertainer and he made no use of attention-catching tricks or gadgets. In the Friday quiz sessions he would give us a short discussion question and then make us talk about the week's work. He dealt in ideas and drew us out. In taking notes on the Monday and Wednesday lectures and making summaries of collateral reading, I wrote much more than in freshman English and learned a great deal more about writing.

One of the books on the collateral list was Ellen Semple's "Influences of Geographic Environment," which Webb later told me he had placed there himself. In the first week of school I dipped into this book and experienced a strong intellectual thrill. The first sentence was loaded with implications: "Man is a product of the earth's surface." In a wide-ranging discussion Semple showed that men's way of life, laws, myths, mental attitudes, and even their bodies vary according to their geographical situation. To someone who had not gone very far beyond the dogma that man is a special creation of the Deity formed in His image to do His will, this was illuminating and liberative. In Semple's book I was being introduced to what was a basic element in Webb's approach to history: Environment comes first and strongly influences human institutions. This, I learned years afterward was the orientation of Lindley Miller Keasbey, Webb's teacher at the university. As the shadow of the library crept up the side of the old main building, I sat reading. I was late for supper that night.

I took no more courses in history but continued to see Webb from time to time. I became a page in the library, and he was a frequent visitor to the stacks. When he began to work on "The Great Plains" he went at such a pace that he could not come for the books he needed but would leave a list to be gathered together and brought to his office. He paid another page, who came at 7 in the morning, to bring the books to him. He was so immersed in study and writing that he seemed to be in a daze; the unifying idea for "The Great Plains" had come to him so forcefully that he had set aside "The Texas Rangers" and was working at a white heat. He practically lived in his office.

A graduate student who had seen some of Webb's manuscripts made this comment on his style: "He's no Macaulay, but he gets there in his homely way." Today we give thanks that he didn't take Macaulay for a model. No small part of the merit of "The Great Plains" is its directness, simplicity, and clarity of expression. In freshman English, which he took at the university, Webb had not fared well under the instruction of a man who wanted his students to write like Charles Lamb. As a writer Webb totally eclipsed this instructor, who in a long life of composing little articles never faced a task of any magnitude or produced a single book. When "The Great Plains" appeared in an inexpensive edition, at my suggestion it was made one of several optional texts in freshman English. I have taught it repeatedly as a model of historical writing, first at the University of Chicago. It has a clear-cut pair of basic terms, land and people, and it is beautifully organized.

It is well known that Webb befriended many students and even lent money to them without looking up their grades. Once he gave me some much-needed help. On the eve of graduation day in May of 1930, when I was to receive an M.A. in English, I was walking along Congress Avenue. As I approached Sixth Street I heard someone call to me from a car stopped in the middle of the street. I went out and found Dr. Webb (as we always addressed him even before he had the degree) seated beside the driver.

"You're getting your master's degree tomorrow, aren't you?" he asked.

"Yes, sir."

"You want a job this summer?"

"Yes, sir."

"This is Mr. Ferguson, dean of Stephen F. Austin State Teachers College in Nacogdoches. He's taking his doctor's tomorrow. Meet him after the ceremony and he'll tell you how to get to Nacogdoches and when to be there."

This was all. The next afternoon I was on board a train for Jacksonville, where I had to change to a bus in order to reach Nacogdoches. Of course I was very grateful to Webb at the time. When I reminded him of this incident years later and expressed my gratitude again, he said, "Wilson, you shouldn't be grateful to me." I was puzzled, but after the appearance of the story of how William E. Hinds had helped him obtain an education I understood.

In the fall of 1930 I began teaching at Rice and continued there until 1937. During these years I saw Webb on occasional visits to Austin, and I bought and read "The Great Plains" and "Divided We Stand" when they appeared, in 1931 and 1937. Through his books he has continued to be my teacher down to the present day.

The publication of "Divided We Stand" came just at the time when I had become a traveler for a publisher whose home office was in Massachusetts. In this book Webb stated that if everyone in the South and West who was working for a northern firm were in uniform the South and West would look like any army camp. The book made me acutely conscious that the more successful I was in obtaining orders in my territory the more I was contributing to the eocnomic dominance of the North. Not long after the appearane of "Divided We Stand" Webb made a talk at the Cokesbury Book Store in Dallas which I was able to hear by accident of being in Dallas at the same time. He told a story to illustrate how he felt when he sold Hollywood the movie rights to "The Texas Rangers." A Texas cowman was riding a pullman to Kansas City for the first time—he had always ridden up with his cattle on a freight and back on the chair car. He knew he was to tip the porter but he didn't know how much.

"George, how much am I supposed to tip you when I get off at Kansas City?" he asked.

"Just whatever you think right, suh."

"How much do they usually tip you?"

"It ranges. Some tips one way and others another."

"Well, George, what would you say your average tip is?"

"A dolluh, suh."

When the porter brushed him off as they were pulling in, the cowman gave him a silver dollar.

With a big smile George said, "Thank you, suh! That's the first time I ever made my average."

The fee for the movie rights gave Webb a start toward a fortune. With it he bought an old church bordering the capitol grounds, rented the building to the State for years, and eventually sold it to the State for a good profit. He made other investments in Austin. Webb was a fine businessman as well as a fine scholar.

He loved a good story, though he was not given to joking in the classrooms. Once I heard him tell a story which he later used, in a revised form, for the conclusion of "How the Republican Party Lost Its Future," which appeared in 1949. A certain man kept telling himself about the great things that he would do in the future, but he never got down to work. One morning while shaving he was struck by the lines in his face and the thinness and grayness of his hair. After a long look he exclaimed, "My God, my future is now my past!" This story is capable of producing a bad case of the midnight shakes—even of extracting work from ex-fairhaired boys.

Webb liked folk sayings, though he did not use many himself. One day while he, Mody Boatright, and I were having coffee together, he suddenly asked, "Mody, what was that about the cat?" Mody's reply, "I'll do it if it hairlips all the cats in Grimes County," brought a burst of hearty laughter. The laughter of Webb and his good friends Dobie and Bedichek was marvelous to hear. It rang out on the picnics we used to have. It might not keep a man from committing suicide but it would make him laugh before pulling the trigger. Webb, Dobie, and Bedichek were accustomed to thinking about and discussing the world's most serious problems, but they had a playfulness of mind on appropriate occasions that indicated freedom and flexibility. In this respect they were like Erasmus and Sir Thomas More. To be deeply concerned for the welfare of mankind in perilous times and yet to be able to laugh at the right moment, not to lose the joyousness of life—this is a great gift that perhaps can be cultivated.

After World War II and 4 years in the Air Force I had returned to Texas to teach in the university. I just missed the time of troubles set off by the Rainey affair, in which Webb played a courageous part representing the faculty. One day at coffee Webb told me about his experience at the University of Chicago, where I had taken my last degree. At his oral examination he "froze" when the first question was asked, nor could he say anything in response to the second question. He turned on his heel and walked out. "My mind was racing. I went straight to the apartment and told my wife to pack. We got out of Chicago before sundown." Webb was always kind to nervous doctoral candidates at their orals; he found the right questions to get them started and give them a chance to show their knowledge. Eugene Barker, recognizing that Webb was an original and independent thinker who had to make his own way, had asked for two copies of "The Great Plains," which he accepted as Webb's dissertation, and granted him a degree.

Webb was a learned man with a capacity for hard thinking and sustained effort, but he was not academic. He did not immure himself in the university or cut himself off from the outside world. He wanted to communicate with the general reader and he succeeded admirably in doing so. Once at a meeting of the university faculty he alluded to "professors who write little articles for their colleagues to read." His unemphatic tone gave no clue to the scorn he felt.

In an essay solicited but rejected by the editor of American Heritage because it was too strong, he charged that academic training produces timid and self-repressed historians who write in a colorless way on the assumption that they are being objective. "In graduate schools the student is taught to select a subject of such small dimensions that it offers no challenge to the intellect, does not develop the mind, and has little or no significance when developed. He is encouraged to write without benefit of imagination, to avoid any statement based on perception and insight unless he can prove by the documents that his idea is not original." "An Honest Preface" is a brilliant satire on the academic game of writing a little book to get a little promotion; the central idea of the professor's book is "an entirely new theory as to the relationship existing between the physical law governing the refraction of light and the incidence of the high cost of living on tenant farmers among the Eskimos."

Webb had intellectual daring. Without this quality he would not have attempted the grand synthesis of modern history represented in "The Great Frontier." Once while he was on leave to work on this book I met him on the campus as he was walking along with his slow, swinging stride, looking at the ground and putting a cigarette to his mouth. I had to call his name twice before he noticed me. Over coffee I asked him what he was working on. After telling me he said. "This is the biggest thing I've tackled yet, but I think I can handle it." And handle it he did. About a year later I happened into his office at the moment when he was putting the manuscript into a box to send to his publisher. "I wonder how they'll take this," he said when the package was wrapped and addressed. He did not mean the publishers but the historians and critics who would read the book. At such a time a writer almost always experiences a moment of self-doubt. "Well," he said, lighting a cigarette, "if all you write is what everybody agrees with, you haven't said much. Let's mail this and get a cup of coffee." Some months after the book was published I asked him what the reviewers were saying. "They say it isn't Toynbee." And he laughed with amusement.

In his choice of subjects Webb showed courage and a high regard for the public good. He was not afraid to deal with "controversial" subjects—a word now beloved by radical rightists and moral cowards. In the manuscript of "Divided We Stand," in which he attacked the economic dominance of the North, there was a chapter on the ruination of a small independent bottle factory at Santa Anna, Tex., by the monopolistic Hartford Empire Glass Co. The publishers removed the chapter, but Webb restored it in augmented form when he republished the book at his own risk in 1947. "The Parabola of Individualism," a chapter in "The Great Frontier," is the best existing explanation of what has happened to individualism in America.

Webb wished to see an increase in the well-being and prosperity of the West, the State of Texas, and his city. Aware of the basic importance of water, he studied and wrote about this problem in the West and in Texas as a part of the West. He rewrote a government report in an effort to reach the general public and show what could be done to utilize the water of Texas streams for manufacturing and urbanization as well as agriculture. In "More Water for Texas" he explained, with his usual lucidity, a breathtaking plan which one day may be put into effect. To the Austin paper he contributed articles on the future development of the city and of the South. Webb was no cloistered man shrinking from the world and its problems.

As honest as he was courageous, Webb was committed to the truth. He was not like some westerners of the booster type who are unwilling to admit that there is a shortage of water in the West. When in 1957 he published "The American West: Perpetual Mirage" in Harper's, he offended many westerners with his thesis that the key to the understanding of the West is the existence of a vast desert in its heart. Several Senators, led by GOLDWATER of Arizona, vilified him and even accused him of historical ignorance. Protesting editorials, some later inserted in the CONGRESSIONAL RECORD, appeared, and letters came through the mail, one Denverite saying he would like to use Webb for target practice.

Webb had pointed out that the West has certain negatives or deficiencies (water, timber, cities, industry, labor, Negroes) and certain positives (land, grass, minerals, natural wonders, Indians, and orientals) and that historians have not written about the negatives but have made the most of the positives. The westerner, he said, is like a musician performing on a stringed instrument with many of its strings missing; he has to

make up in agility and virtuosity what the instrument lacks. Webb grew up in west Texas on the edge of the desert and he loved the West, but he possessed clarity of insight and powers of self-criticism beyond the capacity of most westerners.

He had a capacious and penetrating mind. Recently I have been turning over many books written about the West, and again and again I have found them illuminated by what he said in the essay in Harper's or in "The Great Plains." He also has a very fine article "On the Cultural Resources of Texas" buried in a book that became a casualty of the Rainey troubles, an article that I might never have known about if it hadn't been mentioned to me by Mody Boatright when I began to teach Life and Literature of the Southwest, a course which J. Frank Dobie originated and made the most popular elective in the university as long as he taught there. "My theory holds that the true distinctive culture of a region, in this case of Texas, springs from the soil just as do the plants." First there was the land and then came the people, whose lives were shaped by the land. An indigenous culture should and does make use of locally available materials; this is true of literature and art as well as of architecture. As an example of a man who made use of locally available materials for cultural purposes, Webb referred to his friend Bedichek (without giving his name), who in the course of traveling over the State incidentally observed birds and built up a remarkable knowledge of them. Webb was not boasting about the cultural attainments of Texas; rather he was pointing out that the materials were plentiful but as yet had been little used.

Webb used the materials that were available to him, including his own mind and energy. He was not erratic, but moved steadily in one direction. His was a fine contribution to the university and the State of Texas and to the Nation. He was an intellectual and moral force in our lives.

In the last year I frequently saw him as he walked past the window of my office on his way across the campus. Sometimes we would meet and he would tell me about the video series of lectures on American life that he was supervising. He was happy to be at work. No more can the tall man be seen striding along, wrapped in thought and carrying his head low.

WEBB'S POLITICS

(By Joe B. Frantz)

Since that March night when I was called out of a dinner party by the late Miss Ione Spears, herself an associate and admirer of Walter Prescott Webb for more than a quarter of a century, I have had frequent requests from newspapers, television stations, and historical periodicals to write a few words of tribute to Dr. Webb. As with many great men of varied talents, he is an ideal subject, for he was multifaceted; some aspect of his life always waits to be explored and explained.

Dr. Webb—or preferably Mr. Webb, for he disdained titles—has been talked or written about as a man, a companion, a poker player, a realtor, a historian. And as a historian he has been dissected—for a Texas-oriented audience, for an agricultural history periodical, for the American Historical Review, and so on. In each of these a different Webb has been described.

But for the Texas Observer I feel frustrated. Because the qualities which make Webb vital for the Observer encompass all his facets—the civilized, variegated human being who along with a very few others stands as a symbol of the intimation and realization of greatness that can be Texas, as well as some of its glaring faults.

Let's talk politics, for instance. By nature and upbringing Webb was a devoted liberal in the best sense of that often-bromidic word. He believed that the world could be improved, that truth was sufficient excuse for objective investigation, that a weak link anywhere in the complex of civilization represented challenge and opportunity. He saw no contradiction in being for RALPH YARBOROUGH and for Lyndon Johnson, and indeed counted both among his close friends. Whenever he thought either was right, he gave that one his unqualified support; if he thought either was wrong, he was equally unhesitant to upbraid, or perhaps "chide" would be a more precise word.

As far as party affiliation was concerned, he lost his objectivity somewhat. He welcomed "that other party" into prominence in Texas, but he was almost yellowdog in his devotion to the Democratic banner. With characteristic quick humor, he was wont to say, "I believe in a strong Republican party, but not strong enough ever to win—only to keep the Democrats honest." Or in another vein, "What did the Republican party ever do for Texas?"

In another sense he reflected his boyhood background in barren west Texas with a true agrarian brand of old-time populism. Deep down, one suspects, he distrusted urbanism, bloc voting, and bankers. Certainly he showed strong nativist tendencies and his views on racial matters were not exactly progressive, even a bit barbaric.

On the other hand, he went into the State of Mississippi and told the local citizenry at Oxford that the State was plain stupid if it permitted its historic adherence to racial segregation to bar its material progress. The talk was straightforward enough that the professor who invited him, a head of a department, was promptly removed from that position for having imported such a radical.

Again, he told an audience of several thousand at Texas A. & M. that conditions that had spawned the capitalistic, democratic world of the United States up to 1920 had passed, and that his listeners could be wistful and sentimental if they chose, but they might as well accept the fact that a new social, economic, and political order was at hand and figure out their place in this new world. Before he could drive the 110 miles back to Austin, telephone calls and telegrams were being sent in numbers to the board of regents demanding his resignation.

"I must not have given them enough hope," he said half ruefully, half impishly.

In 1959 Houghton-Mifflin brought out a collection of his essays, "some * * * written in blood, some in lye, some in honey." The collection included two of his presidential addresses before major historical associations, essays in which he purposely set out to be significant and profound. But the essay which he often said was the best in the book was neither of these, but the one entitled "How the Republican Party Lost Its Future," which he dashed off for the Southwest Review in 1949.

When General Eisenhower spread his arms V-fashion and grinned his then irresistible smile in 1962, many people twitted Webb for his article, suggesting that few essays purporting to be historical and objective had ever been refuted so quickly. Webb didn't think these gibes were especially funny, nor did he lose his confidence that he was essentially right. As the congressional races of the later 1950's showed a rising Democratic tide and much of the leadership of the Republican administration seemed to be in the hands of Democrats, especially Sam Rayburn and Senator Johnson, Webb felt confirmed. Never did he retreat from his position that the Republican Party had "successively turned its back on one great segment of society after another, on the farmer, on small business, on labor." The party, in his words, "quit the people long before the people quit it."

These few paragraphs have dwelt on Webb's political outlook, perhaps the least important side of his public face. He advised the mighty and he advised the lowly. He advised the losers more often than winners, for he never stooped to be popular. His value was not as a precinct worker, not as the torchbearer in a political crusade. Instead, his political value lay in the fact that people could examine issues in his presence, aware that he did not operate in spiritless objectivity but also aware that somewhere in the conversations and examinations would come a moment of revelation, of crystallization, of insight, of simplification. The man who sat with him over coffee might go away with views diametrically opposite to Webb's, but he would know why.

To my way of thinking, this is teaching at its best.

So Miss Spears, sitting alone at her radio, heard the news flash and sought me out. She was crying as she talked, and she never really recovered. Within a month she, too, was dead.

Those of us who remain behind have survived and some of us—not me—may even walk with a spring in our step. But there's a whole host of us in the wider community who died a little too. We lost someone to talk with, and in this world such persons are rare.

THE GREAT PLAINS

"'For what do we know—and what do we know—what do we really and truly know about what a friend of mine will insist on calling our "insides"? Meaning not our lights, livers, and other organs, but that part of us where the mysteries are.' Thus wrote W. H. Hudson, the field naturalist, who loved to seek truth, which so often eluded him and so often eludes us all, in the recesses of the unknown."—Webb in "The Great Plains."

Walter Webb's article in Harper's late in his life on the great American desert is certainly one of the best essays written by a man from this part of the country. Its themes were not new in his work. In 1931, there appeared under his name a clear, witty, and original book of history, "The Great Plains." One cannot read it now without knowing from the occasional loveliness of language and the occasional flights of fancy that Webb never gave up wanting to write novels; without knowing from his contempt for hidebound laws, his yawps of exhilaration, and his sardonic jests that he was himself a westerner; without knowing from his splendid powers of generalization that he was one of the most intelligent men this Nation has had to think about its ways; or without discerning from certain other passages that, though his experiences went back to ancient scenes of travail on the farm and his attitudes on race were rough hewn, he had no fear of radicalism, whenever it is called for.

Not many historians, accustomed to withering scrutiny of the form of their footnotes by septuagenarian Ph. D.'s, would have dared leave in their manuscripts this passage on the cattle kingdom, in "The Great Plains":

"A thousand farms in the East will each have 6 or 7 cows, with as many more calves and yearlings—10,000 head. But they attract no attention. They are incidents of agriculture. In the West a ranch will cover the same area as the thousand farms, and will have perhaps 10,000 head, roundups, rodeos, men on horseback, and all that goes with ranching. Hot days in the branding pen with bawling calves and the smell of burned hair and flesh on the wind. Men in boots and big hats, with the accompaniment of jangling spurs and frisky horses. Camp cook and horse wrangler. Profanity and huge appetites. The East did a large business on a small scale; the West did a small business magnificently."

To get at the truth of the past, Webb wrote, "we must make use of the imagination"; and in a single sentence he could

send a reader into a wonderland of future possibilities: "If the Mississippi, draining the humid eastern country, could be induced to flow into the arid West, it would be almost impossible to imagine the possibilities of irrigation." While portions of his work in 1931 thudded along the way most scholars' always do, he tended, even then, toward rhythms—"If the rain falls on the windward side of the mountains, the leeward side must suffer all the more";—a buffalo's sense of smell was useless to it "when it was approached from down the wind"; and toward romantic musing: "Cowboys at work, 18 hours a day, for the herd left the bed ground by daybreak and kept it until dark; cowboys at work, riding, singing, nursing the cattle; yet it is difficult for those who now read of their hardships to realize that they worked at all." Ballads, songs, and novels were part of the historical evidence, as far as he was concerned, for the literature of the Great Plains had to deal "with the aspects of nature—the somber, far-spread, ocean-like plain; the arid mountains; the quicksanded rivers; the drought, the hail, and the wind." In the last chapter of the book, "Mysteries of the Great Plains," he wrote that the evidence indicated that "the plain gives man new and novel sensations of elation, of vastness, of romance, of awe, and often of nauseating loneliness." He knew that a book of history is only a man writing about the past and cannot be more than that.

He was not a nit-picker; he wanted to have some fun as he went along with his work. Plains Indians were willing to eat their horses if they had to; therefore, "The Indian rode his commissary into battle." When the settlers from the East first crossed the 98th meridian onto the plains, there was little thought of general irrigation. "The people were settling there under the illusion that rainfall would follow agriculture." It did not. Then, "In the shadow of the drought men turn to prayer (at least some of them do), led by the more religious-minded, and the skeptical acquiesce, with the stoic philosophy that it may do no good, but they guess it won't do any harm. Sometimes the rains come, proving the efficacy of faith."

As his whimsey never got in the way of his intelligence, neither (as he said) did facts that fall contrary to a general truth. Again and again, discussing geology, rainfall, "the horse culture of the woodland" and "that of the plains," the great configurations of environment and civilization, he attained peaks of generalization that no man could have without first storing up the facts and then extending the powers of a lithe intelligence. Consider these scattered passages:

"The position of the grassland in the United States and in North America may be most accurately pictured when taken in connection with the timber regions or the rainfall map. The eastern forest and the western forest come together in Canada, where they form a continuous subarctic forest extending from ocean to ocean. In the south the two forest belts unite in Mexico. Between these belts is a great oval whose characteristic natural vegetation is grass and desert shrub. This grassland 'acts as a barrier between the species of the two regions even more effectively than a body of water of the same extent.'

"European civilization has developed largely in a forested region rather than in a plains environment.

"The history of the Plains is the history of the grasslands. Civilization develops on level ground. The fundamental problems that man faced when he crossed the line are not problems of the mountains but of the Plains.

"The Great Plains presented a barrier which arrested for a time the whole westward movement, but the barrier was greater for the South than for the North. The northern system, founded in individual ownership of land and free labor, was modified when it entered the Great Plains region, but its essential character was not changed. The southern system, founded on slavery and cotton, was barred by an infrangible law—bounded on the west by aridity just as effectually as it was on the north by cold. Thus did the Great Plains break the balance between the North and the South and turn the advantage to the northern section, making its ideals, rather than those of the South, national."

Webb's approach to history sometimes seemed racial. The blood of pueblo or sedentary Indian stock, compared with that of the Plains Indians, "was as ditch water"; on southern plantations, worked by Negroes before mechanization, "one man was doing only the work of a man, if that"; "For ingenuity of design no one can beat a Mexican"; the Spanish failed at conquering the plains Indians, and "The problem of subduing them had to be solved by another race." Yet it would be unfair to hold these ways of thinking to the standards of current times. When he wrote this book, for example, he could still say, as none of us who have been city raised could say now:

"We are still a farm people. There is for us nothing new on the farm. We know it all intimately—the long hours, the sweaty, stinking, heavy underwear, the debt and the mortgage, the way it feels to drag in at twilight after a day in the field and to sit on the doorstep and pull from our aching feet our brogan shoes before we eat the coarse evening meal. That is the common heritage of the majority of American people."

Webb's freedom of spirit was a freedom of his own times and place—a frontier honesty. He had, for instance, nothing but contempt for Spain's church-shielded forays in America. "Spain's fourfold purpose" [he wrote] "was to conquer, convert, exploit, and incorporate the natives. For conquest, there was the conquistador; for conversion, there was the friar, the emissary of the church, the religious campaigner; for exploitation after the conquest was over, there was the encomendero, whose function it was to make a profit from the native and share it with the king. Finally, in 1772 the whole policy of peace was abandoned in desperation, and the Spaniard undertook the destruction of the plains Indian even before his soul had been saved."

He did not blink the fact that after the Texas Revolution, Texans stole the cattle defeated Mexicans left behind, or the likelihood that during the Civil War, some Texans got rich staying behind while their neighbors were off fighting. He persistently sided with the plainsmen who practiced "a little judicious fraud" to evade unreasonable laws limiting arid-land ranching, passed by uninformed eastern lawmakers.

Of course, he wrote, political radicalism on the plains began with the farmers—the Grange, the Farmers' Alliance, the Farmers' Union. "They were far from markets, burned by drought, beaten by hail, withered by hot winds, frozen by blizzards, eaten out by the grasshoppers, exploited by capitalists, and cozened by politicians. Why should they not turn to radicalism? When men suffer, they become politically radical; when they cease to suffer, they favor the existing order." Women got the vote first on the plains. Why was that? There is hidden somewhere in the cause the spirit of the Great Plains which made men democratic in deed and in truth," Webb said. He hoped that out of the high adventure and intense suffering of the plains "may come in time a mystical and spiritual quality contributing much to a civilization that thus far is notorious for its devotion to material things."

I did not know Webb. We exchanged remarks on a few occasions; once or so I was able to see through his storied gruffness to a warm, heartily laughing man. Just one memorable thing happened between us. We were having lunch over a manuscript of a speech he had made, that I was going to print in the Observer. We found ourselves in a congenial rapport over political matters (though we must have differed a good deal on what a man should do as to politics). As we parted, he quoted something out of John Dewey, a passage that was, as I vaguely recall, intelligent and idealistic in Dewey's matter of fact way. It has been in my memory that it was from "Human Nature and Conduct," at the end of a chapter, but I have looked and cannot find it there. Anyway, I remembered it at the time, and also, as I said to Dr. Webb, that Dewey had gone on to conclude that human affairs are necessarily tending toward more and more socialism. I doubt I asked Webb why he had not recited the whole thing, but that was an import of my mentioning it. He replied, I remember very clearly, for I thought about it a good deal for some time afterward, and my mind has come back to it often since then, that the role of some men is to work within existing institutions, cultivating the ground for the changes that are to come.

THE GREAT FRONTIER

(By Hubert Mewhinney)

Walter Webb's great quality was a sort of massive and inexorable commonsense.

In this respect he was something like Charles Darwin. And it was this quality that finally led him, when he was almost an old man, to write what I think is likely to prove the most important book written anywhere in the world during this century. This was "The Great Frontier."

I knew Mr. Walter for almost 40 years. But he had other friends who knew him better and longer. If nobody minds, I should prefer to use this space to write about that one book and the effect it had on my own thinking rather than about Mr. Walter himself.

It is worth remarking that the three friends so often called the triumvirate—Webb, Bedichek, and Dobie—were all clearer thinkers and sounder artists as they grew older. That is unusual in our country and in our century. Most American artists, and the novelists in particular, commit themselves to certain views and attitudes before they reach 30. Then they never outgrow those views. They are much like the Mexican axolotl, who matures enough to reproduce his kind but never enough to grow out of the tadpole stage.

In "The Great Frontier" Webb addressed himself to the grand and terrible theme of our time, to the theme that under varied aspects so fascinated Oswald Spengler and Arnold Toynbee and even, for that matter, H. G. Wells. What really made the Western World what it is?

How was it that the petty and insignificant kingdoms of Western Europe—almost beneath the contempt of the Ottoman Turk—peopled by men so poor, dirty, and ignorant that they took Marco Polo for a liar when he came home to tell about the magnificent court of Kubai Khan—how did these fellows ever manage to set forth and plunder the world?

And all the more especially, how did it happen, after technology had been nearly at a standstill for something like 3,000 years, that the western Europeans began that astonishing career in the physical sciences that brought us steamships, electric lights, airplanes, spacecraft, and nuclear bombs, so that now we wallow in our own riches and tremble at the deadliness of our own weapons?

So that now we are astonished and outraged when those peoples of a different complexion, whom our plundering forefathers somehow forgot to annihilate, suddenly come forth demanding a share both in the riches and in the knowledge of the techniques.

The Tasmanians and the Karankawas are gone. But the Chinamen are very much with us.

We are taught in high school, although none too clearly or explicitly, that Western Europe did not amount to much until Henry the Navigator came along in the middle 1400's and *started sending* out expeditions to reconnoiter the coast of Africa and look for a way to the East.

Webb set out to clarify the matter. He had been influenced by Frederick Jackson Turner's famous paper about the influence of the frontier on American history. He had been prepared by years of studying the frontier, especially of studying the effects of inventions so simple as that of barbed wire. That is to say, like Darwin, he was not offering a theory that nobody had ever thought of before; he was systematically arranging the arguments for the theory or perhaps even the proofs.

He contended that it was the white man's looting and plundering of the frontiers—of the Americas, Africa, Australia, and the ancient kingdoms of the East—that really created the modern world; that brought on the sudden acceleration in technology, in the study of the physical sciences, and even in literature; that but for Columbus and Vasco da Gama there might never have been a Shakespeare or even an Einstein. That is, it was simply the loot—gold, silver, fish, furs, ship timber, sugar, chocolate, tobacco—that furnished the capital for the fantastic development of Western Europe in learning, science, and inventions; that for a few centuries made those petty peoples the lords of the earth; that led Kipling to write such nonsensical and pharisaical admonitions as "take up the white man's burden."

One may reflect sardonically that if there had been no plundering of the frontiers there would have been no industrial revolution, no Marx, and no Stalin.

All this from Webb, basically simple as it is, is far more convincing than Spengler's hypothesis that the major cultures grow, flourish, and decay as inevitably as the individual organism, like so many rosebushes or cockleburrs; more convincing than Toynbee's ideas of challenge and response.

For the sudden technological flowering of Western Europe was quite unlike anything that ever happened in Egypt, or Mesopotamia, or Greece.

When Henry the Navigator came along, the techniques and the sciences had been at a standstill, or worse, for many centuries. Remember that Phoenician seamen in the service of Pharaoh Necho had actually circumnavigated Africa 2,000 years earlier, about 600 B.C. Eratosthenes had measured the circumference of the earth quite accurately about 200 B.C. There had been palaces in Egypt, in Babylon, in Crete, and in Nero's Rome larger and more magnificent than anything standing in Europe in the times of Prince Henry. The very Aztecs had botanical and zoological gardens long before any such thing was thought of in Madrid.

Prince Henry's men had only one item of technology that really worked. That was the sailing ship. And it worked none too well. Remember that Pharaoh Necho's men circumnavigated Africa on their first and only attempt. It took Prince Henry's captains years of trying.

Prince Henry's men knew the use of gunpowder but the arquebus was a less efficient weapon than the crossbow. Not even the flintlock had been invented yet.

There was not a telescope anywhere in Europe. There was not a watch that would keep time. The peasants tilled their fields with much the same sort of wooden plow that had been used in Neolithic Egypt. There was not an electric light, a kerosene lantern, or even a whale oil lamp. The rich had torches. The poor had the light of the hearth. The roads were far worse than in Roman times. The rich went on horseback. The poor walked through the mud.

There actually must be some kind of determinism or inevitability in mankind's affairs, whether it is the kind suggested by Webb, or by Spengler, or by Toynbee, or even by those 19th century socialists whose doctrines are now most familiar in the version offered by Karl Marx.

For it is at last becoming plain—and more so from what the prehistorians rather than the historians have learned in the past century—that certain advances or at least certain changes occur in techniques, sciences, arts, modes of though, and modes of behavior whenever particular conditions occur.

The British anthropologist Gordon Childe argued brilliantly that the two most important things that ever happened in mankind's career on earth both happened before written history, as such, even existed.

The first was what Childe called the Neolithic Revolution, when bands of men settled down in particular places and began to make their living by growing crops rather than by hunting, or fishing, or gathering nuts and berries.

The other was what Childe called the Urban Revolution, when men began to live in true cities, when trades became specialized, when the social structure, too, became more elaborate, when there were kings, priests, and nobles rather than chieftains, shamans, and warriors, and when writing was invented.

The prehistorians are still far from sure about the details. But it is fairly certain now that both revolutions, in all their complexities, occurred quite independently in Eurasia and in the Americas. Likely enough, there were independent developments in several centers.

There seems to have been little interchange of views between Webb and Childe or between Childe and Spengler. I am not even sure that Webb ever read a line that Childe had written.

The changes in the Western World that Webb, Spengler, and Toynbee discussed in their several ways have no name in common use as yet. But in essence this is a third revolution and likely to prove even more fateful than the other two.

Nowadays for the first time since the gorilla-brained Australopithecinae were hunting pigs and antelopes on the thornbrush-studded plains of South Africa—and that was a million and three-quarters of years ago, if Leakey's dates turn out to be right—men have learned in a few happy countries of the West to grow more food than they can eat and to manufacture more devices than they can use or can even sell to one another. Not Sesostris, nor Sardanapalus, nor Nero could have imagined such luxuries as an automobile mechanic or a television repairman now enjoys every day.

Both we and the Russians are preparing to send explorers to the moon—certainly the most expensive luxury ever imagined.

But a great part of the world enjoys none of the luxuries, is restless, and is envious of them. And the Russians, to the deadly danger of us all, have made a sort of lunatic religion out of the doctrines of a fellow who was merely one more misinformed 19th century economic theorist, with little knowledge of prehistory, of ancient history, of anthropology, or of human or of animal behavior. Why, Marx wrote that book before Schliemann excavated Troy, before Evans excavated Knossos, before Sautuola found the paintings in the Altamira cavern, before the Wrights flew the first airplane, before Ford simplified factory production.

If only the Russians could read Webb instead of Marx.

COMMENTS BY THREE FRIENDS

It was in the history class of the late Eugene C. Barker during the spring of 1922 that I first knew Walter Prescott Webb. Both of us had grown up in Stephens County, but our trails had not crossed before. At that time he was an instructor in history, a part-time instructor in government, and we were both working toward advanced degrees in the University of Texas.

One day Dr. Barker touched upon the subject of western extension of settlements. With his gift for clarity and orderly development of a topic, he made a swift survey, pointed to the Great Plains on the wall map, and said: "Here this advance stopped, or moved very slowly for several decades. I am not certain why. Does anyone have a reason to suggest?" Two or three facts were mentioned; I called attention to the lack af available water; and then Webb spoke up and put the explantion in a form that I had not heard before. "These people came from a timbered country and had developed a timber civilzation; when they reached the land where forests ceased they were confused and did not know what to do. Before they could occupy the country they had to develop a new way of life, and it took them decades to do it."

I was impressed with the statement, but I did not then realize that Webb had just set forth the thesis of what was to become one of the great books of our times: "The Great Plains."

Webb was interested in ideas and was a genius at developing them. To him facts meant nothing unless one was able to discover their meaning. It was with this point of view that he became a great historian. To his friends, however, the man was even greater than the historian.

RUPERT N. RICHARDSON.

"Everyone who creates anything needs an audience, even if it's only an audience of one," Walter Prescott Webb was saying. I had asked him when we were together in Lincoln, Nebr., in 1957 to tell how he had got started in writing. The meeting of the Mississippi Valley Historical Association had closed, and the hundreds of eager and talkative historians who had attended were now on their way home. Walter and I were left in the wake of the meeting. "Come to my room and we'll swap yarns," he had said over the telephone.

Fifty years before, Walter said, he had been a teacher in a one-room schoolhouse in east Texas. He taught all grades and did the school chores as well. Among his pupils was a 10-year-old named Henry Woods, who was part Indian. Henry was a helpful and admiring friend to his teacher. He always managed to arrive at school in the morning, as Walter did, much ahead of the other youngsters, to help wash down the blackboards, bring in wood for the stove, and sweep out. He was the very soul of helpfulness.

One spring morning, when the turf under the piney woods was beginning to show early wildflowers, the 20-year-old teacher hurried along to school a little after sunup, well ahead of his usual schedule. On his arrival, instead of going about his chores, he sat down at his desk and began writing. Half an hour later, little Henry Woods came through the schoolhouse door, ready to assist Walter Webb.

"Good morning, Henry," said the teacher. "Why don't we change our plans a little today? Sit down in your place, if you will. I've written a little word sketch of you that I'd like for you to hear."

Henry Woods took his place and, cupping his chin in his hands, he listened as his teacher read. When the word sketch was finished, little Henry looked up, starry-

eyed, and said, "Professor, that was purty."

"He was my first audience," Walter told me. "I've been writing ever since."

Many things could be said about Webb's power as a historian—his skill in arriving at historical meaning, his breadth of concept, his deceptively simple narrative style, his originality, and his courage in taking new paths—but at heart his craft was directed to conveying meaning to people. The lesson the teacher learned from the pupil more than half a century ago had lasted a lifetime.

SAVOIE LOTTINVILLE.

Recalling a friendship of half a century, I remember the smalltown country boy who arrived on the campus of the University of Texas, with its 1,800 students. He was ill-prepared, but eager and filled with curiosity. One pauses over the fact that, as Webb came from Stephens County, Roy Bedichek hailed from a spot on the road called Eddy, and Frank Dobie from a ranching section.

When Webb delivered his presidential address to the American Historical Association in Washington in January 1959, he invited, in addition to friends from Texas, three of us who were living in the East and had been students with him. We sat together with some of the Texans immediately below the dais. Personal details, trials, and tribulations, a reference to "the accursed Ph. D.," nothing was left out of this engaging address, charged with wit and pathos. This auditor saw the shocked and wondering faces of the pundits and their ladies at the head table. There were attempts at smiles, but they shriveled as the ivy of cloistered halls must have shrunk that night. In spite of all, the speech was received with great gusto by the young Ph. D.'s. We had no apologies to make for our regionalism.

Memories of other occasions arise. When "The Search for William E. Hinds" was instituted, Walter sought my aid in finding information in the East. I combed probate records and microfilms of newspapers in New York, all with no results. Finally he wrote me to communicate with a family in New Jersey. It seemed there was a real clue leading to Vermont. I was preparing to go to New Jersey when word came that a survey had been made there, with tangible results.

On returning to Texas, I called at Walter's cubbyhole of an office and found him deluged with letters from people in many parts of the world who had been touched by the story. A paper carton was filled to overflowing with letters; he was bewailing the fact that he could not find one he had received from a Chinaman in Hong Kong who had told of his reading the story to his family.

In a talk delivered 3 days before his death, titled "The Confessions of a Texas Bookmaker," Webb said in his blunt way:

"The subject of the Texas Rangers took me to the frontier, opened up a field in which I could work for a lifetime, a field that was to become my own. Here I learned something very important for a writer, extremely important to me. Up to that time I had in my efforts to write been going against my own grain, going against my own background—the frontier. I did not like the environment I grew up in, and I worked hard to get away from it, to get into that other world that I had found in the books where people wore good clothes, spoke clearly, and spent money freely. But you do not escape your background. A perceptive friend, a poet, said to me one day: 'Webb, you are a frontiersman,' and he implied that I could never be anything else. This came as something of a shock, but I thought about it a great deal, and finally I said to myself, 'All right, OK, if that is what I am, then, by God, that is what I will be.' I decided to go with the tide of my nature rather than against it, to row with the current rather than against it."

His gruff exterior concealed a gentle, sentimental spirit. In this last talk, he told of his reading a childhood story: "I read the story over and over and every time it made me cry, the first time I ever cried over a book. I loved to read that book and I still love books that make me cry. The only thing I like more is to write something that makes others cry, which I have done a few times."

RICHARD T. FLEMING.

MEETINGS IN DALLAS

(By Lon Tinkle)

When the New York Times celebrated its 100th anniversary in 1951, its Sunday Book Review assessed American writing during the first 50 years of this century. Henry Steele Commager, writing on history, concluded that Walter Prescott Webb's "The Great Plains" was entitled to be called the best single-volume contribution to American history published between 1900 and 1950. As Walter Webb commented so often to friends, honors, and recognition seemed to have been reserved for him for his last years. He was not ungrateful about the sudden avalanche of acclaim—but he noted the irony of it with a wryness that had become habit. Unorthodox and ferociously independent, he must have thought of himself as an ugly duckling of the academic world.

At any rate, he had a great fondness for the Hans Christian Andersen tale, and gave it a personal twist. Once, in a fit of weariness and of self-pity, I raged for an hour over the penalties and miseries of a Texas rearing for a man who wanted to be an expert on European literature. I related to Walter the backgrounds (privileged, as I thought) of some of my classmates at Columbia and the Sorbonne, specialists of whom people have heard. He listened with sympathy. A few days later I got from an Austin bookstore a very handsomely illustrated copy of Andersen. "Read this," his note urged, 'it will do you good." He told me later it was one of his favorite gestures to cure depression in his friends. I rarely think of the Andersen fable, but, in these days when nearly anybody over 30 thinks himself an anachronism, I do often think of Webb.

Two years after Commagers tribute, the president of Oxford University Press told me in New York that Arnold Toynbee was coming to this country and specifically wanted to come to Texas to see Walter Prescott Webb. Toynbee did come, on a famous visit. His plane had a layover in Dallas, and the Oxford Press man advised me to run out and talk to Toynbee at the airport about a plan for him also to speak in Dallas, a plan Toynbee had steadily rejected. Bolstered by a promise from the late E. DeGolyer, of Dallas, to post any necessary fee, I met the plane. Toynbee, his white mane of hair afloat in the airport blows, was polite but unshakable.

"I have only limited time, as I stated by letter," he explained, "and I want to spend what time I have in Texas with Professor Webb."

Mrs. Toynbee took pity on me. "Don't feel too bad," she said. "The money you offer, why, the government wouldn't let him keep it anyway."

I told Walter this story later, when he was killing a layover at the Dallas airport. It became a sort of ritual after that for me to visit with him during stopovers in Dallas, and his many engagements brought him through with regularity. When I recall memories of talks with him, the scene is usually the airport. He was, of course, brimming with ideas and projects every time I saw him. He had a plan for the Texas Institute of Letters, or a program for the Southwest Review, or some advice for the Texas Almanac, or a way to revolutionize book selling in the Nation (it was a wonderful idea, too), or more mundane things about how to improve the duck situation on a little pond our house overlooks or how to arrange the education of the Tinkle boys, or where to buy up land in north Texas. I do not recall ever encountering a more fertile mind.

One night in the summer of 1961, Walter called me from Austin to say he had an hour's wait next morning in Dallas. He had something he wanted to tell me. There was a crush at gate 12, where his plane was to leave, so we turned a corner and sat down at vacant gate 13.

What he had to tell me was engrossing indeed. So much so, it was I who had to remind him it was about time for his plane. "Oh, they'll announce it, don't worry," he said, and told me some more. But presently, he asked, "Why dont they call that plane?" and we got up to check.

Outside gate 12, both signs were astounding—the gangplank had been removed and all propellers were whirling.

"Why, that fool plane's trying to take off," he exclaimed as he dashed out and, as though heading off a west Texas mule, ran in front of the ship and signalled the pilot to be sensible.

Airport flunkies, recovering, began to run around in circles. A jeep scouting the field made a beeline for Webb. The pilot sadly shook his head, "no." On Webb's heels I too was making frantic and righteous signs when the man in the jeep grabbed me. Luckily, he was Braniff's stationmaster and had sized up the situation at once.

"Jump in," he yelled above the engine roar, "another plane leaving over here." The jeep made a broken-field run through taxiing and arriving planes and its driver said, "I know who you are, Professor Webb."

Not much mollified, Webb spoke scathingly of planes that leave unannounced, especially when he had to be in Minneapolis on time for a speaking engagement. The second plane was also already locked tight. Our jeep-host was undaunted. "Maybe I can get you on an American Airlines jet leaving for Chicago." We whipped across the field again. "I'm sympathetic to an absent-minded professor," the station manager said, "but you know, Professor Webb, that plane was announced several times."

Walter ignored the latter comment. Cutting his eyes at me, he muttered, "two absent-minded professors." But after a bit more maneuvering, we made the jet. Walter had to wait in Chicago for his baggage, on the first plane, to catch up with him.

It made an amusing story for the paper and Paul Crume, former Webb student and longtime friend, wrote it up with style. But I may now divluge what I could not reveal then, now we didn't hear the plane called. Walter was telling me he thought he had been lucky enough to persuade Terrell Maverick to marry him in the autumn. He was a happy man that morning at Love Field.

Joe Frantz characterized him as a man whose sophistication was generally unsuspected. I remember, though this is only marginally what Joe meant, a dinner Herbert Gambrell and I once had with him at Dallas' Old Warsaw restaurant. After a meal that would have satisfied even Alfred A. Knopf, Walter asked the waiter to bring an orange, a sharp knife, and a bottle of cognac. With precise skill, he cut the peeling around the middle of the orange, gently worked the top and bottom parts of the rind loose from the pulp, and turned the top half into a cup and the bottom half into a base for the cleanly skinned fruit in the middle. Into the cup at the top, Webb poured cognac and then set it aflame. A round of applause came from neighboring tables, where guests had watched the maneuver with fascinated attention. Webb set the orange cup on a plate and asked our waiter to offer ceremonial sips to our neighbors. They spooned it out. A memorable literary occasion at Old Warsaw which several have tried to duplicate, always without success.

The last time I saw him was 2 weeks before his death. He gave a talk at Southern Methodist University on February 19, then

came over to our house for a little meal. "I have no more books in me that I want to write," he said. "At my age you live from day to day. Terrell and I aren't waiting to celebrate our anniversaries in terms of years. We celebrate each month. Just last week we observed our 15th anniversary. I am a happy man, a very happy man."

THE CRISIS IN THE SERBIAN ORTHODOX CHURCH AND ITS IMPLICATIONS FOR AMERICAN SECURITY

Mr. DODD. Mr. President, in July of last year, I announced that I had asked the Senate Subcommittee on Internal Security to look into the increasingly frequent visits to this country of church delegations from the Communist-bloc countries.

I said at the time that there was strong reason for believing that the motivation for these visits was not entirely spiritual, that the visits were, on the contrary, designed to extend the influence and control of the mother churches in the Communist-bloc countries over the Orthodox Church organizations and church communities in this country. And I further stated that this situation was of direct concern from the standpoint of internal security because what is involved here is an effort to subject the several hundred American orthodox church communities and their diocesan organizations to the control of clerical authorities who are, in turn, under the direct control of their Communist governments.

Since that time, the staff of the Senate Subcommittee on Internal Security has been gathering information relating to the situation in the Serbian, Rumanian, Russian, and Bulgarian church communities in this country.

In a statement on the floor of the Senate on November 5, I pointed out, among other things, that the effort to subject the Serbian Orthodox Church community in this country to the direct control of the Belgrade Synod had produced an open split in the Serbian orthodox community and that the majority of Americans of the Serbian orthodox faith had voted a resolution calling for spiritual unity with the mother church but for independence from its heirarchal control.

In taking this stand, they stated that the Belgrade Synod is not free since it must make its decisions in collaboration with and with the approval of the so-called Federal Commission for Religious Questions of the Federal Socialist Republic of Yugoslavia; they claimed that the continued existence of their diocese required a determined struggle against all efforts at Communist infiltration; and they declared that their attitude would be in harmony with the welfare of the United States and Canada.

The Belgrade Synod ignored the expressed wishes of the majority of the Serbian Orthodox community in this country and, over their opposition, divided the North American diocese into three new dioceses and appointed and consecrated three new bishops to take control of these dioceses.

These bishops were consecrated by the delegation of Serbian Orthodox clergy who visited this country during the months of July and August. The delegation consisted of Bishop Visarion, Bishop Christon, and the Very Rev. Mladen Mladenovich. In addition to consecrating the bishops who had been appointed by the Belgrade Synod, they used their presence in this country to endeavor to seize control of the real estate and assets belonging to the Serbian diocese and affiliated organizations.

Since the visit of the Serbian Orthodox clergymen to this country and especially since the visit of Marshal Tito to this country during the month of August, the rupture in the Serbian Orthodox community in America has resulted in a series of violent encounters between the majority, which had voted to establish an American church free of Belgrade control, and the pro-Belgrade faction.

There is a consistent pattern to the many incidents that have taken place. The pro-Belgrade faction will send a group of stalwarts along to a church meeting and attempt to break it up by shouting and hooting and stamping, even when the priest is delivering a benediction. Sometimes they have held up the business of meetings for hours on end. In many instances, they have thrown chairs and started fist fights and physically beaten up leaders of the opposition.

There have been incidents of violence over the past 2 months in virtually every important Serbian Orthodox community in the country—in Pittsburgh, in Chicago, in Youngstown, Ohio, in Detroit, in Cleveland, in St. Louis, Mo., in Akron, Ohio, in Gary, Ind., and at many other points. In many of these centers, the police riot squads have been called out repeatedly to quell disturbances or to prevent further bloodshed.

In Chicago, Ill., three men were hospitalized after one fight at a church meeting.

In Los Angeles, a member of the anti-Belgrade church group was beaten up and suffered a broken arm.

In Bellwood, Ill., a member of the anti-Belgrade church board was hospitalized after being severely beaten at a church board meeting, while an anti-Tito radio announcer was beaten up on his way to a broadcast.

Everything indicates that these persistent incidents in every part of the country are the product of a planned campaign of physical violence, which is condoned, if it has not been directly instigated, by the Belgrade authorities.

Other things have happened which I should also like to bring to the attention of my colleagues.

First of all, there is the fact that litigation has been initiated or is anticipated, involving the two rival groups of the Serbian Orthodox communities, in Joliet, Ill., in Detroit, in Cleveland, in Youngstown, Ohio, and in Chicago. On the one hand, the American Serbs who have voted to break with Belgrade must finance this costly litigation out of their own hard-won earnings; on the other hand, the pro-Belgrade faction apparently suffers from no shortage of funds for purposes of litigation in American courts. I have been informed by members of the Rumanian Orthodox Church in this country that they have already spent some $200,000 in defending themselves against court actions initiated, in a similiar situation, by the pro-Bucharest group in the Rumanian-American community. I fear that the American Serbs who refuse to take dictation from Belgrade may have to pay a similar high price for their loyalty to America.

Second, it has come to my attention that Americans of the Yugoslav origin applying to the Yugoslav consul in Chicago for visas or for the certification of documents have been asked which side they are on in the Orthodox Church dispute in this country, the clear implication being that those on the pro-Tito side will be favored. I consider this an intolerable intervention by the Yugoslav authorities in what is essentially an American domestic situation, and I have asked the State Department to look into this matter because of its grave implications.

Third, in their desperate efforts to maintain control over the 70-odd Serbian Orthodox Church communities in this country and Canada, the Belgrade authorities have threatened to excommunicate Serbian clergymen and laymen who do not accept the control of the Belgrade Synod.

Finally, the committee staff is currently studying the transcript of a deposition by the Very Reverend Mladen Mladenovich, secretary of the Belgrade Synod, in the circuit court of Lake County, Ill., on November 29, 1963. This deposition was given in connection with pending litigation involving the assets of the Serbian Orthodox diocese.

In his cross-examination, Reverend Mladenovich was obliged to admit that the Orthodox Church in Yugoslavia received a very large part of its income directly from the Communist Government of Yugoslavia and that it functions under the direct supervision of the Federal Committee for Religious Affairs, which, in turn, is appointed by the Executive Council of the Federal Government, consisting of Tito, Rankovich, Kardelj and other members of the Yugoslav Politburo.

Let me quote to you a brief exchange that took place between the examining counsel and Reverend Mladenovich.

Question. Are these three men—Tito, Rankovich and Kardelj—members of any church?

Answer. I cannot say that, because it is unknown to me.

Question. Well, let's take Tito. Is he a member of any church?

Answer. He knows. I don't know.

Question. Is he an atheist?

Answer. I know for myself; but as for him, I don't.

Question. Do you know whether Tito is a member of the Communist Party?

Answer. I know, inasmuch as I read in the newspapers that he is Principal Secretary of the Party.

Question. Is he a member of the Central Politburo?

Answer. Yes, he is. From the press I learn that he is the General Secretary.

Question. Did you ever talk to him?

Answer. No.

Question. Did the patriarch talk to him?

Answer. Yes.

Question. What about Rankovich? Is he a member of the Communist Party?

Answer. I don't know. I presume that he is.

Question. Is he a member of the Central Politburo?

Answer. Yes.

Question. What about Kardelj?

Answer. Same.

Question. Member of the Communist Party, and a member of the Central Politburo?

Answer. Yes.

The Reverend Mladenovich at another point was asked about the imprisonment of the American-born Bishop Nascitich by the Belgrade Government. Let me quote a few pages from the exchange on this point.

Question. Do you know Bishop Nascitich?

Answer. Yes, I know him.

Question. Is he now under suspension?

Answer. It is not clear to me. What kind of suspension?

Question. Any kind.

Answer. He has the right to serve as Bishop, and he has no diocese. He is in pension.

Question. He's an American citizen, isn't he?

Answer. Possibly.

Question. Was he arrested by the Communist government?

Answer. He was sentenced by a regular court, and as such, was sentenced.

Question. Was that a Communist court?

Answer. It was a Government court.

Question. Was that the Communist government?

Answer. Yes, in the country, there is a Communist government.

Question. Was Bishop Nascitich arrested because he insisted he was still an American citizen?

Answer. No.

Question. Are you familiar with why he was arrested?

Answer. Because in one of his preachments in the church, he has violated their laws, that priests are not permitted to attack the Government and the party.

Question. By that, you mean they're not entitled to attack the Communist Party or the Yugoslav Government?

Answer. Yes, in the preachment. The priest is permitted to talk about what is in the Bible, and in his own services, but is not permitted to attack the Government, and carry on political activity in the churches, in his speeches, political subjects.

Question. Now, ask him this question. Do you mean not permitted to attack the Yugoslav Government?

Answer. Not only him, but no priest, anywhere, is permitted to attack.

Question. The Communist government?

Answer. No priest, anywhere, is permitted to attack the Government. It is only permitted to interpret the Bible, and whatever is part of his ecclesiastical service.

The Very Reverend Mladenovich also confirmed that when he arrived in New York in June 1963, he and his party were met either by the Yugoslav consul or by a representative of the Yugoslav consul.

The Very Reverend Mladenovich was asked the following:

To whom are the three new bishops that are plaintiffs in this case responsible for their actions in the United States?

In reply to this question, he made the following statement:

They are not responsible to anyone in America. They are responsible to the holy bishops assembly, which elected them, for the performance of their duties. No one else has a right to judge the bishops, except the holy bishops council and the holy bishops synod.

I am not sure that the Reverend Mladenovich realized the profound significance of this statement and the impact that it would have on American readers. For, what the Reverend Mladenovich was admitting, in effect, was that the newly appointed Serbian Orthodox bishops in this country are completely and exclusively responsible to the synod in Belgrade, which, in turn, is responsible to and functions under the supervision of the Yugoslav Communist Government.

Mr. President, only the Communists stand to gain from the violence that has now erupted in the American-Serbian community on the issue of accepting or rejecting the discipline of the Belgrade Synod.

The situation is doubly tragic because, as I already pointed out, the overwhelming majority of those Serbs who have refused to break with the mother church are not in any sense pro-Communist. On the contrary, they are anti-Communists; they are, by and large, decent American citizens who have been swayed by the strong traditional attachment to the mother church and by the clever propaganda of Belgrade.

I have received two letters from Serbian-American clergymen who belonged to the group who refused to break with the Belgrade Synod. I am impressed by the sincerity of these letters; and it is clear from their content that the authors are strongly anti-Communist. I want to assure these clergymen that they will have an opportunity to present their point of view fully to the Senate Subcommittee on Internal Security when the hearings get underway. But I must say that the letters I have thus far received fail to adduce any evidence that in any way rebuts the evidence that the Belgrade Synod functions to a large measure under the control of the Belgrade Government.

I have asked the staff of the Senate Subcommittee on Internal Security, in anticipation of early hearings on the subject, to accelerate the tempo of its investigation, and I have asked in particular that they look into the epidemic of violence and bloodshed that has now erupted in Serbian Orthodox communities throughout the country.

EXERCISE BIG LIFT—CONCLUSIONS OF AN ABLE PUBLISHER

Mr. SYMINGTON. Mr. President, Edward W. Sowers, publisher of the Rolla (Mo.) Daily News and Waynesville Fort Wood Gateway Guide personally took part in Exercise Big Lift, that epochal demonstration of the "central reserve" concept which is steadily picking up favor in the military thinking of our country.

Mr. Sowers wrote many articles about this experience, all interesting and revealing; his talks with the crews, his reaction to the various briefings, and so forth.

The articles themselves are too long to place in the RECORD. Sowers' conclusions, however, are most interesting. His thinking represents what might be termed the "inside" of the Voice of America—what people in my part of the country are thinking about, on many subjects we discuss here on this floor.

I ask unanimous consent that these conclusions be inserted at this point in the RECORD.

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

BIG LIFT CONCLUSIONS

1. The exercise was an important demonstration of U.S. ability to strengthen NATO forces in Europe—or the free world's peacetime police force anywhere on earth.

2. The quick-strike (by air) force is being uncloaked now so all the world may know not only of our ability but our willingness to use it as a deterrent to a future war.

3. It could lead to a reduction of our forces overseas, now that we have proven that we can deliver reinforcements with knockout power (and with conventional weapons) to any troubled spot in a matter of hours, thus reducing the drain on our economy while we endlessly sustain world peace.

4. During the exercise it was also made crystal clear by President Kennedy's Cabinet members that our NATO (and other) allies must do their part, too, in maintaining the free world's international police force.

5. Congress should provide funds for further strengthening of our quick-strike force, such as for the most modern TAC fighter-bombers, using high-powered but conventional (not atomic) weapons; for refueling tankers to "nurse" them anywhere; and for cargo airlift giants, such as the 200 Starlifters now needed by MATS.

6. And while we're building physical strength abroad, we should build prestige through more adroit diplomacy with trained diplomats and foreign service workers—men and women trained for this purpose in a U.S. academy such as proposed by Missouri Senator STUART SYMINGTON (S. 15, 86th Cong.) This, and other "refinements" in foreign aid are in order.

As an average American father, I feel these opinions very strongly after talking to many other average Americans as well as high-level officials on three separate defense exercises—Puerto Rico's big slam in 1960; Alaska's timberline last winter; and Europe's big lift this fall. My sincerity is heightened, no doubt, by the fact I have three sons—Steve and Tom in college at MU, Jim in high school in Rolla—an influence upon my thinking even as millions of other free-world families are influenced.

INQUIRY INTO STRATEGIC AND CRITICAL MATERIALS STOCKPILE

Mr. SYMINGTON. Mr. President, one result of the inquiry into the strategic and critical materials stockpiles of the United States by the National Stockpile and Naval Petroleum Reserves Subcommittee was new stockpile legislation prepared and approved by the subcommittee.

We introduced that legislation (S. 2272) on October 31, 1963, and on December 3 and 4 the subcommittee held hearings on this bill so all those ready to testify could do so at that time.

At the request of the American Mining Congress, further hearings have been postponed until January 23, 1964.

Some person, or organization, has spread the idea that, under the new legislation, the Congress would no longer control disposals. That is not correct.

The new legislation leaves under congressional control the disposal of unwanted materials now held in the national stockpile; and also now places the disposal of surplus materials in the DPA inventory under congressional control.

The Senator from Maryland [Mr. BEALL], requested that the Office of Emergency Planning—OEP—prepared

for the RECORD an analysis of the time that elapsed between the date approval was requested of the Congress for disposals, and the date the Congress finally gave that approval.

The director of OEP has now sent this information to the subcommittee. I ask unanimous consent that the table showing the time in question required be printed in the RECORD at the conclusion of this statement.

In most cases, elapsed time was in excess of 6 months. Often it was in excess of a year. Once it took 58 months before congressional approval.

Not even the most ardent advocate of holding materials in surplus would argue against correcting such a situation.

The purpose of this proposed bill, on which hearings will continue next month, is to pass legislation that will protect the taxpayer and at the same time place the program on a more orderly and business-like basis.

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

Congressional actions requested and authorizations granted on disposals of strategic and critical stockpile materials

Commodity	Quantity	Unit	Approval requested		Approval granted		Elapsed time for approval (months and days)		Remarks
			Date	Market price or estimated value per unit	Date	Market price or estimated value per unit	Months	Days	
Brass scrap	520	Short ton	July 13, 1961		June 21, 1962		11	8	Sold for scrap, sales value per short ton, $476.35.
Bronze, silicon, and copper scrap.	74	do	do		do		11	8	Sold for scrap; sales value per short ton, $514.30.
Cadmium	2,000,000	Pound	Oct. 16, 1962	$1.70	Apr. 1, 1963	$1.85	5	15	Published prices were proved to be nominal. GSA sale Apr. 30, 1963, showed value to be $2.3615.
Castor oil	155,676,000	do	Sept. 6, 1961	.17	June 21, 1962	.16¼	9	15	
Celestite	28,816	Short dry ton	Mar. 9, 1961	27.69	do	27.69	15	12	Low-priced commodity; freight rates are important factors.
Chromite, metal, ground	1,890	Long ton	Oct. 11, 1961	36.00	do	36.00	8	10	Market price is for specification grade ore. This material bears no relation to specification grade.
Cobalt carbonates	5,500	do	Sept. 20, 1961	1.45	do	1.45	9	1	
Cobalt metal, rondelles	9	Short ton	Jan. 16, 1961	1.50	do	1.50	17	5	
Cobalt oxide	265,000	do	Sept. 20, 1961	1.10	do	1.10	9	1	
Copper-beryllium scrap	11	do	July 13, 1961		do		11	8	Sold for scrap; sales value, $1,296.91 per short ton.
Cordage fiber:									
Abaca	7,500,000	Pound	Jan. 18, 1961	.31	do	.22¼	17	3	Based on grade J-1.
Sisal	9,983,000	do	do	.13	do	.12½	17	3	
Cotton, extra long staple	109,384,000	do	Aug. 29, 1957	.63	July 26, 1962	.38	58	28	Karnak, fully good grade, at Alexandria, Egypt.
Diamonds, gem	55,465	Carat	July 29, 1958	42.49	Sept. 9, 1959	53.68	13	10	$42.49 represents actual appraised value. $53.68 represents auction receipts.
Ferromanganese	63	Short ton	Nov. 28, 1961	220.00	June 21, 1962	190.00	6	23	
Ferrovanadium	65,447	Pound	Oct. 26, 1961	3.20/3.40	do	3.20/3.40	7	25	
Manganese metal, electrolytic.	4½	Short ton	Nov. 28, 1961	725.00	do	725.00	6	23	
Molybdenite	5,000,000	Pounds	Apr. 24, 1962	1.40	do	1.40	1	27	
Nickel, cobalt, copper calcines.	3,374	Short ton	Jan. 16, 1961		Mar. 29, 1961		2	13	Commodities have no market quotations. Sales prices determined by contained metal quotations, freight rates, processing costs and other factors. Sold for $697,537.
Nickel, cobalt, copper matte	87	do	do		do		2	13	
Nickel ingots	96	do	do	.74	June 21, 1962	.79	17	5	
Nickel oxide powder	10,000,000	Pounds	Mar. 1, 1962	.8125	do	.79	3	20	
Nickel, sintered powder	4	Short ton	Jan. 16, 1961		do		17	5	Sales value $1,455.50 per short ton.
Platinum group metals:									
Osmium	27	Troy ounce	Aug. 8, 1958	70/90	Sept. 9, 1959	70/90	13	1	
Rhodium	2,524	do	do	118/125	do	122/125	13	1	
Ruthenium	51	do	do	45/55	do	55/60	13	1	
Platinum scrap	4,471	do	July 13, 1961	80.85	June 21, 1962	80/85	11	8	Quoted prices are for refined platinum mets.
Rubber	470,000	Long ton	Sept. 11, 1959	896.00	May 4, 1960	930.80	7	24	Based on No. 1 ribbed smoked sheets.
Silk noils	439,630	Pound	Aug. 18, 1960	1.00	June 21, 1962	.30	22	3	
Tin	50,000	Long ton	Sept 1, 1961	1.25½	do	1.11⅞	9	20	
Vegetable tannins (Government use):									
Chestnut	650	do	Mar. 8, 1961	[1] 156.80 [2] 176.40	do	[1] 168.00 [2] 190.40	15	13	Prices are for extract free of any copper content. Extract for disposal contains copper.
Quebracho	2,100	do	do	132.00	do	172.08	15	13	
Wattle	650	do	do	151.20	do	158.80	15	13	
Zirconium ores	15,902	Short dry ton	Mar. 6, 1959	51.56/53.76	Sept. 9, 1959	56.00	6	3	
Coconut oil	265,000,000	Pound	June 23, 1959	.213	(3)	0.177			Eligible for disposal Dec. 23, 1959.
Feathers and down	2,000,000	do	Mar. 30, 1961	.95/1.06	Sept. 21, 1961	1.10	5	21	Price advanced to $1.30 in July 1961 but was on decline in September 1961.
Tin	10,000	Long ton	Sept. 8, 1961	1.22⅛	(3)				Waiver request for authorization of 10,000 long tons out of the 50,000 long tons.
Vegetable tannins (chestnut).	12,245	do	Aug. 2, 1962	[1] 168.00 [2] 190.40	Sept. 28, 1962	[1] 168.00 [2] 190.40	1	26	H.R. 12416 introduced July 5, 1962, to waive waiting period on 4,000 long tons of the 12,245 long tons.

[1] Solid.
[2] Powdered.
[3] Not granted.

FOREIGN AID REORGANIZATION

Mr. SYMINGTON. Mr. President, regardless of how any Senator voted on the foreign aid bill yesterday, every Member of this body knows there is something basically wrong about the current concept and operation of the foreign aid program.

I was glad to read a press report that President Johnson is giving consideration to a more definite segregation of the military aid program from the economic aid program, because I believe such action would help materially to improve the present program.

I was also glad to hear an able Member of the other body, Hon. GERALD FORD, of Michigan, in a recent telecast, state that the figure of around $3 billion discussed is not entirely right, because through such devices as Public Law 480, $2 billion of agricultural products should actually be added to any figure that is passed.

In addition, the United States has committed, or plans to commit, for use in foreign countries, hundreds of millions of dollars of the American taxpayers' money through various international financial agencies, a matter

already discussed at some length on the floor because these latter commitments do not contain certain restrictions included in the foreign aid bill itself.

As one gets further into the subject of AID, it appears that almost anywhere one turns in Government, there is further utilization of some piece of legislation, or Executive order, or international agreement, to give, or loan, more money and/or materials to other countries—often the terms of said loans are such as to force one to conclude that the net result is actually a gift.

The Senate cleared up many of the problems contained in the proposed foreign aid authorization bill.

In conference with the House, however, many of these improvements the Senate placed in the bill were subsequently deleted by the conferees.

I ask unanimous consent that a report made up by the staff of the Foreign Relations Committee, showing the provisions of the Senate bill later deleted in conference, be inserted at this point in the RECORD.

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

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
December 16, 1963.

Memorandum
To: Senator SYMINGTON
From: Pat M. Holt.

Set forth below is a summary of the provisions of the Senate passed bill which were deleted by the Senate-House conferees.

1. The Dominick amendment to section 203 to require that the reuse of all receipts from development loans be subject to annual appropriations.

2. The Lausche amendment adding a new section 211 to the act to require that no technical assistance program be undertaken unless, prior to the commencement thereof, the recipient country agrees to "accept the responsibility for the continuation and financing of such program after the expiration of a reasonable time, not to exceed 7 years, unless the program is scheduled for completion within such time."

3. Section 221(b)(2) prohibits payments under all risk guarantees in cases where the loss is attributable to "fraud or misconduct for which the investor is responsible." The Lausche amendment to add the word "negligence" to "fraud or misconduct" was dropped by the conferees.

4. Ellender amendment requiring redemption of Treasury notes issued under Economic Cooperation Act or reserves for investment guarantee program.

5. The Dominick amendment to require that the reuse of all receipts from Alliance for Progress loans be subject to annual appropriation.

6. The Morse amendment prohibiting assistance to any Latin American government which "has come to power through the forcible overthrow of a prior government which has been chosen in free and democratic elections."

7. Mansfield-Dirksen amendment to section 611(a), relating to completion of plans and cost estimates, requiring in any case where the estimate of cost of a project exceeded $500,000, that the feasibility of the project and the cost estimates be approved by the Corps of Engineers, Department of the Army, or by a reputable U.S. private firm of engineers.

8. The Proxmire amendment to take away President's special discretionary authority to furnish aid to Yugoslavia.

9. The Lausche amendment to take away President's special discretionary authority to furnish aid to any Communist country.

10. The Dirksen amendment to prohibit the furnishing of assistance to Yugoslavia unless and until it makes arrangements for the payment of claims of U.S. citizens whose property was nationalized or taken by that government.

11. The Lausche amendment to prohibit assistance for Government-owned enterprises, except where it clearly appears that goods or services of the same general class cannot be provided by private businesses.

12. The Kuchel amendment to prohibit assistance to any country which extends its jurisdiction for fishing purposes over an area of the high seas beyond that recognized by the United States, or imposes any penalty or sanction against a U.S. fishing vessel on account of its fishing activities in such area.

13. Miller amendment limiting U.S. contributions to Food and Agriculture Organization to $5 million a year.

TRIBUTES TO PRESIDENTS KENNEDY AND JOHNSON

Mr. HOLLAND. Mr. President, in the current issue of the Officer, monthly magazine of the Reserve Officers Association of the United States appear two brief editorials which pay tribute to the late President John F. Kennedy and to the Nation's succeeding Commander in Chief, President Lyndon B. Johnson.

There is also an article in the Officer by Col. John T. Carlton, the association's executive director and editor of the magazine, which gives a personal view of both of these great Americans.

Colonel Carlton formerly was the administrative assistant in the Senate of my colleague, the Senator from Florida [Mr. SMATHERS], and is known to many of us. For this reason, as well as for the subject matter of the pieces he has written, I ask unanimous consent that these articles be printed in the RECORD.

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

IN THE MINUTEMAN HALL OF FAME

In February of 1962, recognizing the place he already had earned in history, our association claimed for John F. Kennedy "A place in the Nation's 'Minuteman Hall of Fame.'"

At that time, just well into his service as President, Mr. Kennedy received ROA's leaders for one of their occasional conferences with the Commander in Chief. He appeared surprised and highly pleased that the occasion also brought to him the handsome plaque which was designed to hang with a select few in a hall which ROA's Minuteman Memorial Building, to be constructed in the Nation's Capital at No. 1 Independence Avenue, will make a reality.

The ROA recognition was to a Lieutenant Kennedy, not to the President, or the Commander in Chief, and it was received by him as such.

ROA claims him and his war record to emphasize and exalt the vital role in national security of the citizen-reservist.

Mr. Kennedy was a young man when World War II opened. In a manner that is typical of the spirit which always has protected America, he volunteered for military service and chose one of the most hazardous roles—with the fragile PT-boats, and the doughty sailors who manned them, in the South Pacific. It was there that young Kennedy almost lost a life and suffered injuries which plagued him for the rest of his life. ROA's national treasurer, himself a Medal of Honor winner, was an instructor of the young officer whose valor was to become a legend.

President Kennedy's leadership of this Nation, and his considerable impact upon history already have been extolled by the most eloquent throughout the world which continues to mourn him. Many in a sorrowing nation, and a sorrowing world, as do we among the Nation's reservists to whom he was a brother officer and an inspiration, have observed, as of Lincoln, "Now he belongs to the ages."

He belongs also to this great Nation's "Minute Man" tradition, which has given to the citizens of the United States of America the clarity of allegiance, the commitment of stout heart, resolute character, and personal resources which insures our way of life for posterity.

THE NEW COMMANDER IN CHIEF

Lyndon Baines Johnson, upon whom tragedy has thrust the awful burden of the Presidency, is a man who, like his predecessor, has answered his country's call in war as in peace. The new President entered the Navy as a Reserve officer at the start of World War II, risking the loss of his seat in Congress to go immediately into uniform. His service was brief because then President Roosevelt ordered all Members of Congress out of the service and back to their duties on Capitol Hill. But in his tour in the Pacific he won the Silver Star. The citation accompanying the medal noted his "marked coolness" under fire.

We suspect that "marked coolness" will be displayed again as he takes on the job of leading the defense of the free world. Probably no President in history has had more experience at the highest national level to fit him for the office. His deep knowledge of Government includes special schooling in defense matters as a former member of the Senate Armed Services Committee, where he chaired the Preparedness Investigating Subcommittee, and served as chairman of the Senate Space Committee and as Senate majority leader. We are sustained by the knowledge that our new President is capable of the burden of his office.

As Americans our hearts go out to him. As officers we salute him and pledge him our faithful support.

IN MEMORIAM: RESERVE OFFICERS ASSOCIATION MOURNS PASSING OF COMMANDER IN CHIEF, HAILS STRENGTH OF SUCCESSOR

The world-shaking events of late November shocked Reserve Officers Association as it did the body of the American people. So much has been written about the cruel death of President John Fitzgerald Kennedy that we hesitate to attempt to add any words to those already burned into the pages of history.

Yet we too sustain a personal loss, and experience personally the impact which has jarred the Nation. We knew "Jack" Kennedy both as an individual and as the President. He was warmhearted, in many ways quite unassuming, and genuinely devoted to friendships he had acquired throughout his life. Those who knew him on Capitol Hill enjoyed his warmth. History will record his impact on the world, which was considerable; it was most difficult to conceive of anyone directing real hate toward him.

Even in the personal paralysis that many friends experienced, we felt that he would have been the one to be proud that nothing could stop our Nation.

It was Mr. Kennedy who chose Lyndon Johnson as his running mate, and subsequently as his Vice President.

Johnson had been a master in the forensic and legislative arena where both received their seasoning for leadership. In the Senate, he was Kennedy's senior both in years of service and authority. Senator Kennedy

looked up to his leadership and history may indeed record that his insistence, at Los Angeles in 1960, upon his running mate may have been his most significant exhibition of leadership.

One incident in the Senate service of Mr. Kennedy I will always remember, because it reflects his deep sense of loyalty and his recognition of the worth of his seniors.

The late Senator Walter F. George, chairman of the Senate Foreign Relations Committee during the Eisenhower administration, was working in the twilight of his career to liberalize the social security system. It was a close issue in the Senate and as Senator George's assistant I was on the floor with him. The venerable chairman worked the cloakroom and the floor diligently, looking for that vote which would put his bill across.

He walked over to Senator Kennedy, who was not favorable to the bill, and put his arm across his shoulder.

"You're going to be with me on this aren't you, Jack?" he asked.

Senator Kennedy looked up, and I saw in his eyes a swiftly changing mood. After some hesitation, he said.

"Senator George, I don't think I could vote against you."

The bill carried, as I recall it, by two votes.

Lieutenant Commander Johnson also is a Reserve Officer Association member who pays his own way.

The hallmark of our association is its dedication to our congressional mission. In our membership are men and women of all walks of life who may differ on everything else, but who are brought together in support of adequate national security. That now is President Johnson's foremost concern and responsibility. In his capable hands are many fateful duties, but none transcend that embodied in his cloak as Commander in Chief of the Armed Forces.

With the recent fuss about a phony issue, Lyndon Johnson's record which endears him most to reservists is that during World War II he left his seat in the Congress and went into the Navy, making a fine record. On orders of the Commander in Chief he was brought back to Washington. There in both House and Senate, his personal experience in combat proved of transcendent value to him in various assignments in the Senate Armed Services Committee, including chairmanship of the Senate Preparedness Subcommittee.

President Johnson has experience in this field which probably fits him for his role as Commander in Chief more than any President in recent history.

We in the Reserve Officer Association, too, look to him as our Commander in Chief. While free in a certain sense from his command, we still honor his office and dedicate ourselves to abide by his decisions. We are confident that in advance of major decisions our association will be welcomed in exercise of its right to join in recommendations.

OTTO OTEPKA

Mr. DODD. Mr. President, as my colleagues will recall, I have several times spoken on the floor about the so-called Otepka case.

I took the floor the first time to speak about this matter on November 5, when it was announced that Mr. Otepka had been dismissed on the basis of the charges brought against him. I said on that occasion that Mr. Otepka's dismissal was an affront to Congress and to the right of congressional committees; I stated further that if Otepka could be dismissed for the simple reason that he had given honest testimony before the Senate Subcommittee on Internal Security, then it would become impossible or, at the best, very difficult for any congessional committee in the future to obtain uninhibited testimony from Executive officials and employees.

In the colloquy that followed, there was discussion of the possibility of perjury charges against some of the State Department officials.

On the following day, the Senate Subcommittee on Internal Security received parallel letters from three of the State Department officials—Mr. John F. Reilly, Deputy Assistant Secretary for Security, Mr. David I. Belisle, deputy to Mr. Reilly, and Mr. Elmer Dewey Hill, Director of the Division of Technical Services in the Office of Security—asking to change their testimony. Whereas they had previously sworn that they knew nothing about the installation of a listening device in Mr. Otepka's office, they now confirmed that they had taken part in the installation of such a device or were aware of its installation.

Two of the witnesses, Mr. Reilly and Mr. Belisle, when they were recalled before the committee, stated that none of Mr. Otepka's conversations had been overheard or compromised because of electronic difficulties. The third witness, however, an electronics expert, Elmer Dewey Hill, testified that tape recordings had been made of several conversations, that Mr. Reilly had expressed particular interest in one conversation, and that he had turned the tapes over to an unidentified third party at Mr. Reilly's direction.

The Otepka case goes to the heart of security procedures in the Department of State. It has the greatest significance from the standpoint of relations between the legislative and executive branches. In addition, it has profound elements of personal drama. It is not surprising, therefore, that the press of our country has displayed very great interest from the beginning in the story of the Otepka case.

The Subcommittee on Internal Security has literally thousands of press items, both articles and editorials, relating to this case. A few of the editorials support the State Department's position. The overwhelming majority of them, however, are strongly critical of the action that has been taken.

Mr. President, I ask unanimous consent to insert in the RECORD at this point some representative editorials, both pro and con, that have appeared in our national press. I also ask unanimous consent to insert in the RECORD at the conclusion of these editorials the exchange of correspondence between Mr. Otepka and the Department of State.

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

[From the Washington (D.C.) Star, Oct. 6, 1963]

OTEPKA CASE

The showdown which is shaping up between the State Department and the Senate Judiciary Committee, or rather its Subcommittee on Internal Security, is both necessary and desirable. For the issues are of highest importance.

What is involved here is a seeming collision between the undoubted right of the State Department to maintain proper security procedures within the Department and the equally undeniable right of the Senate (and the public) to know whether sloppy State Department procedures have been endangering national security.

The Department has preferred charges which could lead to the dismissal of Otto F. Otepka, Chief of State's Security Evaluations Division. These charges were developed after such spy-thriller techniques as searching Mr. Otepka's "burn basket," reading the imprint on his carbon paper, deciphering used typewriter ribbons, patching together torn up notes, etc. Furthermore, a Department official has issued an order forbidding employees to appear before the Senate subcommittee without obtaining advance clearance from State. It is also specified in the order that "this includes contact or interviews with any members of the staff of the subcommittee." This covers a lot of territory.

Naturally, the Senators, or at least those immediately involved, are up in arms. And they should be. For the order to the employees and the action against Mr. Otepka could serve to clamp down the lid on information from the State Department to which the Senate, if not the public, should have access. If this is what is being done, every possible pressure should be brought to bear to stop it.

We find it hard to believe, however, that Secretary Rusk would condone any such activity. It runs counter to his nature, and he is too sensible. Nevertheless, it is good that the Senate has called upon him to testify and that he has agreed to do so. The issue comes down to a question of just what Mr. Otepka was doing. The typewriter ribbons, the used carbon paper, and the rest should tell the story.

[From the Washington Post, Nov. 10, 1963]

EXECUTIVE AUTONOMY

For all of Senator DODD's sputtering, he must know that what Otto F. Otepka did was not only unlawful but unconscionable as well. Mr. Otepka certainy knew this himself—which is no doubt why he did it covertly instead of candidly. He gave classified information to someone not authorized to receive it. And he prepared a list of questions to help a Senate subcommittee trip his superior in the State Department. No one can be surprised that the State Department does not want to keep him any longer in a position of trust.

It really does not matter that the recipient of the information he disclosed was an employee of the Senate. He had no authority to give it. If the Senate Internal Security Subcommittee felt a need for classified material in the State Department, its proper course was to summon the Secretary of State and ask him for it. If any underling in the State Department were free at his own discretion to disclose confidential cables or if any agent of the Federal Bureau of Investigation could leak the contents of secret files whenever he felt like it, the executive branch of the Government would have no security at all.

Senator EASTLAND, chairman of the subcommittee, has said that "the powers of Congress are at stake" and that he intends "to protect Mr. Otepka by every means at my command." All that the State Department has done is to fire an insubordinate employee. Its power to do so is fixed by the Constitution and was recognized as long ago as the very first Congress. The Congress has power, of course, to fix qualifications for employment in the executive branch and to prescribe procedures for hearing and review in dismissals. It has done so in the civil service acts, and those procedures are being followed in Mr. Otepka's case. Indeed, he can, and may, go to court about the matter.

Without authority to fire subordinates in the executive branch, the President would

be powerless to fulfill his constitutional responsibility to "take care that the laws be faithfully executed." Congress no more possesses the power to reinstate Mr. Otepka as an employee of the State Department than the President possesses power to remove Mr. J. G. Sourwine as counsel of the Senate Internal Security Subcommittee.

[From the Washington Post, Nov. 12, 1963]

LYING IN STATE

The Department of State must be a delightful place to work these days. The atmosphere of affectionate camaraderie and warm mutual confidence prevailing there has probably not been matched anywhere since the heyday of the Medicis in renaissance Italy.

Consider the situation, for instance, in the office of the Deputy Assistant Secretary for Security, Mr. John F. Reilly. Mr. Reilly was going quietly along minding everybody else's business when he discovered that one of his assistants, a Mr. Otto F. Otepka, was telling tales about him to the Senate Internal Security Subcommittee.

How did Mr. Reilly find out about Mr. Otepka? Why by pawing through the contents of Mr. Otepka's "burn basket", of course, and by tapping Mr. Otepka's telephone. How else?

Mr. Reilly appears to have been assisted in this snooping by another of Mr. Otepka's colleagues, a Mr. Elmer D. Hill, Chief of the Security Office's Division of Technical Services. When these worthy fellows were asked by members of the Senate Internal Security Subcommittee if they had ever done any prying into Mr. Otepka's private affairs, however, they looked quite scandalized at so offensive an imputation and replied as blandly as you please that they certainly had never done anything of the sort.

But the fact of the matter appears to be, nevertheless, that, although they may momentarily have forgotten about it, they did actually "bug" Mr. Otepka's quarters in that elegant State Department Building; they now acknowledge as much, although they insist that they didn't really hear anything interesting. So, by "mutual consent," they have been ordered to go on leave until the whole affair is looked into.

What kind of State Department has the United States got these days? One supposes that workers in the Foreign Commissariat of the Kremlin look over their shoulders at their associates with a certain amount of apprehension and anxiety. But who would have supposed that Americans in the American Department of State would need to employ official tasters when they venture into the departmental dining room?

This kind of bugging and spying and tattling produces no kind of security at all. It produces nothing but an atmosphere of crippling and suffocating suspicion. Decent men should not be asked and cannot be expected to work in such an atmosphere. The foreign affairs of a free people should not be conducted in so malign and miasmic a climate.

[From the Washington News, Nov. 13, 1963]

DISCORD AT STATE

It sounds like a pretty mess at the State Department with one official fired for slipping unauthorized information to Congress and three others charged with snooping on the first man, then denying it to a committee of Congress.

Otto F. Otepka, former Department security risk evaluator, provides the affair with its name—the Otepka case. His dismissal was based, among other things, on the charge he gave a senatorial committee confidential information from security files so touchy it is supposed to be released only with the personal approval of the President.

He has a right to appeal but if the charges stand up, he clearly was insubordinate and ought to stay fired.

Senators defending him, including such powerful figures as DODD, of Connecticut, and EASTLAND, of Mississippi, consider the case a test of the powers of Congress as opposed to the Executive powers of the President. This recurring conflict provides the case with added drama.

Senator DODD demands that, instead of firing Mr. Otepka, the Department get rid of three other officials, at least two of whom denied to a Senate subcommittee they had installed a listening device in Mr. Otepka's office, then later admitted it. These charges are under investigation. These men, it seems to us, also have placed their jobs in grave jeopardy, if not for spying on Mr. Otepka, then for misleading the Senators.

But all question of degrees of guilt aside, the incident lifts the curtain on a nasty internal condition at State which is highly disturbing.

This is the Department which works in a thousand ways to uphold the dignity of the United States around the world, and to keep us out of war. Whether speaking to Congress or to Khrushchev the Department should speak with one voice and that voice should be the voice of the Secretary of State.

If tenure imposed by civil service regulations prevents this and institutionalizes disharmony, then there is something badly wrong with civil service regulations. The security of the United States, upon which the smooth function of this Department measurably depends, is vastly more important than the right of an uncooperative Government employee to hold on to his job.

[From the Richmond News Leader, Oct. 22, 1963]

OTEPKA DAY

Tomorrow is Otepka Day. It is the day that Otto Otepka, career State Department security officer, is scheduled to be released from his job. He is getting fired because he thought that full security procedures should be followed in evaluating the cases of such prize State Department errors as Alger Hiss, William Arthur Wieland, and John Stewart Service. Worse yet, he revealed the laxness to Senate investigators.

There are really two Otepka cases. The most recent began last month when Otepka, an old-line security officer responsible for assembling and evaluating personnel security data, was summarily barred from his office by his new chief, Abba Schwartz. Before Otepka's eyes, six security men set about searching his files and changing the locks on his safes. He was assigned to writing a security handbook, and relieved of all his responsibilities.

Otepka was lectured on institutional loyalty. This meant that Otepka had testified freely before the Senate Internal Security Subcommittee, frequently contradicting the testimony of his superiors. He told the Senators in closed session about gross ignoring of the State Department security evaluation procedures under the Kennedy administration. Dean Rusk, for instance, had backdated more than 150 high-level security clearances, using special powers intended for emergencies; the Eisenhower administration had used this power five times. Lower echelon clerks handling classified information were given blanket waivers. At times important positions were filled without any notice passing through the security evaluation office.

Otepka also strenuously objected when Harlan Cleveland, an Assistant Secretary of State, named a panel to study security procedures—and some of the men named, in Otepka's experienced opinion, had personnel records so derogatory that they should have had a full FBI investigation. Cleveland even went so far as to inquire what clearances would be necessary to bring Alger Hiss back into the State Department.

At first Otepka testified with the permission and advice of his superiors. But then his superiors flatly contradicted many of his statements. To vindicate himself of possible charges of perjury, Otepka returned to the committee to name names, without asking his superiors if he would be allowed to prove them wrong. By revealing names and classified information to the subcommittee counsel, Otepka was in technical violation of the rules; the irony of it all was that he was the very person who had classified the information.

But even though the State Department was incredibly lax in its general interpretation of security, it began to put the screws on Otepka. His phone was bugged. The sheets of carbon paper that he used were examined to discover his correspondence. Letters that had been shredded and deposited in a sealed "burn bag" for security waste were painstakingly puzzled out. At last the zealous sleuths found what they needed: a memorandum, pieced together from plastic typewritten ribbons, in which Otepka provided some embarrassing questions for the Senators to ask his superiors.

For institutional disloyalty, the loyal Otepka got the pink slip. This was the second go-round. Once before the Department had tried to get rid of him.

Otepka, in testimony a year and a half ago, revealed that the State Department's handling of William Wieland was particularly lax. From testimony by Wieland and others, the Senate subcommittee concluded that Wieland was responsible for much of the Caribbean policy that led to U.S. support of Castro in the late fifties. Wieland had hard information that Castro was a Communist, yet he suppressed any references to this problem in his policy reports.

From Otepka, it was discovered that Wieland had falsified his application and personal history, and had never been properly cleared. And in fact, no clearance of any sort had been entered into the file until the day after President Kennedy told a press conference that he had personally approved the Wieland case.

Moreover, Otepka himself evaluated Wieland as "not a security risk, but unsuitable," with regard to personal conduct under the rules of the Civil Service Commission. Such a ruling requires a mandatory dismissal, unless it is overruled by the top level. Earlier Otepka had made a similar finding in the case of John Stewart Service. But neither Service nor any other Foreign Service officer has been dismissed outright in the past two decades.

These touchy questions of "suitability" refer to both personal conduct and judgment. The Senators found Wieland's administrative judgment both weak and doubtful. Wieland, although involved in personnel administration, did not know whether homosexuality was a problem in the State Department, and said that he had never had to deal with the problem in any way. A more experienced State Department officer called this judgment "incredible." And as far as Wieland's personal conduct is concerned, the Senators directed the Justice Department to study conflicts in Wieland's testimony for perjury action. Wieland is still a high-grade State Department officer, and no action has been taken.

A year ago, the State Department tried to get rid of Otepka by reorganizing the security office, and cutting down on the number of employees. Then they tried, without success, to ship him off to study at the War College. Now he is being fired for cooperating with the Senate.

And tomorrow is Otepka Day. It stands as a symbol, not of one man's lost job, but

of a fundamental sickness in the State Department. Behind the foreign policy decisions of the United States stand the men of the State Department. Otepka Day is a day for reckoning.

[From the Tulsa (Okla.) World, Sept. 28, 1963]

A HIGHLY SUSPECT FLAP

Surely the Department of State should be able to perform better than it has over the flap that seems to be developing in the case of a departmental security officer, Otto F. Otepka.

Otepka has been handed a State Department letter of charges, which is the forerunner to dismissal unless cause can be shown that discharge would be unwarranted.

Strangely, the case involves, in part at least, Otepka's submitting to the Senate Internal Security Subcommittee departmental information that is classified or secret.

Even stranger is the direction from which has come objections to the Department's handling of the Otepka case. From way-off Dallas, Tex., Robert Morris, former chief counsel for the subcommittee, said he had been informed Otepka's dismissal is being pushed by reason of his too close cooperation with the subcommittee. Morris insists the committee is entitled to the information.

It is a sensitive situation all around.

If the Morris view is correct, it would appear the State Department has been high-handed in seeking to protect its records from warranted scrutiny by a top congressional group. By the same token, the case seems to furnish further evidence that Washington's bureaucracy has reached a dangerous point of untouchability if Congress, which provides its wherewithal, is refused information on its internal workings.

Certainly the Department may have every bit of evidence it needs to dismiss Mr. Otepka. It is also possible Otepka's projected dismissal is not base solely upon Mr. Morris' understanding of the evidence; yet, this has not been denied.

Otepka has served as security evaluations officer for 10 years. It is obviously one view inside the State Department that, whereas Otepka does have a responsibility for working with congressional security forces, he does not have the authority to divulge specified information or information zealously guarded by the Department.

A missing link in the flap is the absence of congressional interest in the case. At least there has been no Senate subcommittee move publicly to defend Otepka's right to continuance on the job.

Secrecy in public office is repugnant to the American people. If the State Department feels justified in its plans to dismiss its security official, surely it has the responsibility for making that justification apparent. Too much secrecy, as the Department seems to be displaying, is as bad or worse than too much conversation on sensitive national secrets.

We think further enlightenment is called for from all parties in the Otepka case, for the bureaucracy has no more privilege to prosecute in secrecy than do the courts of America—and it has no such privilege.

[From the Perth Amboy (N.J.) News, Nov. 22, 1963]

OTEPKA CASE RAISES SECURITY CONCERN

Congressmen and other officials concerned with the scope of Communist influence in the State Department will keep alive the case of Otto F. Otepka.

It will not be filed quietly in some dark nook at the Department.

The latest of the shocking disclosures in the Otepka case is the clear-cut evidence that high State Department officials were "out to get" the dismissed security officer.

Two high-ranking officials resigned (under presure) recently because they attempted to "bug" Otepka's telephone.

These officials, little more than hatchetmen, conceded that the electronic device they used failed and was removed.

Otepka's "crime" was cooperating with the chief counsel of the Senate Internal Security Subcommittee. (State Department officials call this "leaking" classified information to Congressmen.)

The issue is simple: Does Congress have the right to find out what is going on in the State Department and what security risks are being shielded by that agency's entrenched bureaucrats?

It is no oversimplification to say that, over the years, the State Department's policies have been questionable, if not downright suspect.

There have been many questions raised on subversives in the State Department in recent years.

When Otepka, a key security official, informed the Senate investigators of questionable security activities in the Department, he was fired.

It appears that the State Department is more interested in protecting its own incompetence than in rooting out subversives.

The Otepka case must serve as a focal point for justifiable concern over the subversion of national security.

[From the Times, Oct. 19, 1963]

SANITY IN INTERNAL SECURITY

How far the Nation has moved from the excesses of the McCarthy era is reflected in the instructions the Defense Department has issued to the Armed Forces to respect "lawful civil and private rights" of persons questioned in security investigations. Specifically excluded under the new guidelines are inquiries into such matters as whether an individual considers himself a liberal or a conservative or whether he belongs to the National Association for the Advancement of Colored People.

It is, of course, shocking to think that any military security officer would have ever dreamed of asking such questions in the misguided believe that the answers would provide an index of loyalty. Yet even more outrageous invasions of individual conscience were a frequent part of security procedure in the heyday of McCarthyism a decade ago.

The whole tone of the new instructions, sent out last November but not previously brought to public attention, is one of regard for free thought and expression. The American Civil Liberties Union has rightly praised the memorandum as a "significant forward step" in adjusting the Pentagon's security program to fuller observance of constitutional rights. National strength is best protected by the establishment of a sound balance between the need for guarding against subversion and the need for respecting the privacy of individual beliefs.

[From the Monroe (La.) News-Star, Oct. 7, 1963]

GOVERNMENT SECURITY RISKS

Several days ago, the case of Otto Otepka, 48-year-old chief of the evaluation division in the State Department's office of security made secondary news. Accounts said Otepka had passed along confidential State Department information to a Senate subcommittee and had been given 10 days to explain why to the Department's satisfaction or lose his post.

What sort of cat was Otepka about to let out of the bag? This is the question many observers asked. But news stories were sketchy.

The story is of particular interest in this part of the country because the Senate Internal Security Subcommittee works under the Senate Judiciary Committee headed by Mississippi's Senator JAMES O. EASTLAND.

Another personality involved indirectly is former State Department adviser Alger Hiss. In digging into the information furnished by Otepka, who has cooperated in the past with congressional committees with State Department approval, the Senate probers have uncovered an effort within the State Department to clear the way for a number of former security risks—including Hiss—to make their way back to the payroll.

According to information secured by Columnists Robert S. Allen and Paul Scott, sworn testimony before the subcommittee revealed that one of the central figures in this maneuvering is Harlan Cleveland, Assistant Secretary of State for International Affairs.

Cleveland touched off a row within the Department by appointing several persons with questionable security backgrounds to an advisory committee to study the staffing of Americans in international organizations.

This same testimony said Cleveland inquired as to the possibility of bringing Alger Hiss back into the Department.

Hiss, who served as a State Department adviser during the Yalta Conference, was convicted of perjury during the Truman administration. He denied before a Federal grand jury he had served as a relayman for passing official documents to a Soviet agent. The documents were produced and Hiss was convicted.

This is the man who has been in and out of the limelight since he was released from prison in the mid-1950's. He appeared on an air "interview" entitled, "The Political Obituary of Richard Nixon," shortly after the latter had been defeated in the California gubernatorial contest in 1962. And now it seems his name is up for reconsideration by the State Department.

The former Vice President had headed a congressional committee which uncovered the evidence of perjury concerning Hiss back in 1948–49. When this came out in the open, it provided the Republicans a springboard for the 1952 elections.

As a result, the liberals never forgave Nixon, though he never made capital of the incident nor even the principle of seeking out Communists in government while he served as Vice President or during the 1960 campaign.

But the hastily thought out "Political Obituary of Richard Nixon" complete with the appearance of Alger Hiss was supposed to indicate Hiss was now dancing figuratively on Nixon's grave.

If Otepka's leads are based on solid substance, and Hiss indeed returns to the Federal payroll as a State Department employee, he will be able to dance on any number of person's graves. It will also indicate there is still a mess to be cleaned up in Washington.

As a result of Otepka's testimony, only three other State Department employees were questioned by the Senate subcommittee. Then Secretary Rusk instituted a ruling whereby no employee could testify before the committee without his advance approval.

The stage could be set for another clash between a Senate committee and the State Department which could shake the country more so than did the investigations of the late Senator Joseph McCarthy.

But this time, the chief probers will be Senators JAMES O. EASTLAND, of Mississippi, and THOMAS DODD, of Connecticut, both conservative Democrats.

[From the New York Times, Nov. 14, 1963]

THE CONGRESSIONAL UNDERGROUND

The dramatic turn in the Otepka security case—raising questions about the tactics of the accusers as well as the accused—threatens to obscure the real issue involved. If, as charged, Mr. Otepka's State Department accusers employed dubious eavesdropping procedures against him and then deceived a Senate subcommittee about their actions, suitable disciplinary measures against them should be taken. But none of this, in it-

self, exonerates either Mr. Otepka or the Senate Internal Security Subcommittee from criticism for the practices in which they engaged.

The essential facts in the Otepka case are not in dispute. Mr. Otepka, a State Department security officer, turned over confidential documents on loyalty and security matters to the Senate subcommittee without authorization from his superiors. For this he has been dismissed. His ouster is now subject to appeal to Secretary Rusk, the Civil Service Commission, and, ultimately, to the courts. Whether or not the punishment imposed on him is proper and legal is best judged there.

The disturbing aspect of the case is that both Mr. Otepka and members of the Senate subcommittee have defended their actions on grounds of "higher loyalty." This is a matter that goes beyond the clear right of congressional committees to investigate executive agencies. Orderly procedures are essential if the vital division of power between the legislative and executive branches is not to be undermined. The use of "underground" methods to obtain classified documents from lower level officials is a dangerous departure from such orderly procedures. And nowhere more so than in matters of loyalty and security.

The McCarthy era amply demonstrated the abuses that can result from the publicizing of raw material from loyalty files. Under an Executive order issued in 1948, the authorization of the President himself is required before loyalty information is turned over to congressional committees.

The desirability of such a limitation was upheld in the report of the select committee in 1954 that led to Senate censure of the late Senator McCarthy. It endorsed the President's "power to safeguard from public dissemination" information of this kind, "notwithstanding that the regulations might indirectly interfere with any secret transmission line between the executive employees and any individual Member of the Congress." The same report criticized "failure of the Congress or any Member to adapt itself or himself to reasonable regulations by the President or his authorized department heads * * * with respect to matters involving national security."

The Senate Internal Security Subcommittee will best protect American principles by heeding this admonition.

[From the Chicago (Ill.) News, Nov. 9, 1963]

DOUBLE STANDARD OF SECURITY

A good deal of nonsense has emanated from both sides in the dispute over the State Department's removal of Otto F. Otepka as its chief security evaluations officer. The Senate Internal Security Subcommittee chairman, Senator THOMAS J. DODD, Democrat, of Connecticut, went so far as to view Otepka's firing as "a serious challenge to responsible government."

At the other extreme, a State Department spokesman, trying to prove that Otepka was "out of step with the times," made the ridiculous assertion that the Department "has no security risks, and he knows it."

We would be equally astonished if the State Department were proved 100 percent pure or if Otepka's removal crushed responsible government. The truth of the matter seems to be that this is merely a case in which zeal outstripped judgment.

A State Department inquiry indicated that Otepka had fed classified documents to the Senate subcommittee in defiance of his superiors at State. However noble his purpose may have been, if this be true it was an act of disloyalty to his employers and he should scarcely expect to be rewarded.

At the root of the trouble is the ever-present jealousy and bickering between the legislative and executive departments. Senator DODD was delighted to have a pipeline into State, shortcutting the usual route via the head of the Department. He says that Otepka's violation of executive department orders was "only technical." One may wonder if the Senator would be as lenient if secrets held by his committee were leaked to the executive branch.

Otepka's acquaintance with the State Department's security problems dates back to the days of Senator Joe McCarthy's rampages. It is said that he has passed at least preliminary judgment on the security credentials of more Washington officials than has any other person.

He will have a chance to appeal his dismissal. But on the showing thus far it would appear that he set himself a different standard of security than he helped impose on others.

[From the Chicago Tribune, Nov. 7, 1963]

WILL SENATE FIGHT?

The State Department has shown its contempt for the prerogatives of the Senate and its indifference to security risks within its own ranks by dismissing its Chief Security Evaluations Officer. It did so in the face of a direct warning carried by a member of the Senate Internal Security Subcommittee to Secretary of State Rusk.

The victim of the purge, Otto F. Otepka, is a veteran of 27 years of Government service. For the last 10 he has been the man who gives security clearances to State Department employees. So well and efficiently did he perform that in 1958 he was awarded the State Department's Meritorious Service Award.

But, as Senator DODD, of Connecticut, has said, in the topsy-turvy world of the State Department, the idea is to catch the cop and not the culprit. So charges were brought against Otepka for having engaged in conduct unbecoming a diplomatic officer—namely, in collaborating with the Senate Security Subcommittee. He was accused of having disclosed secret Department documents to Senators.

In the Department it was said that Otepka "is out of step with the times." A spokesman remarked, "We are not witch hunting any more. We have no security risks, and he knows it." The Senate subcommittee's reaction is one of skepticism. Its investigation of Department wirepulling to picture Castro as the "liberator" of Cuba and not as a Communist, hardly persuaded it that there's nothing kinky in the Department.

It has since been trying to evaluate the security practices, or lack of them, in the Department. It was hampered by a Department order, issued under the cloak of "executive privilege," directing that State Department officials remain away from the subcommittee and give it no information. Otepka freely cooperated with the subcommittee.

Chairman EASTLAND, of the subcommittee, commented, "The powers of Congress are at stake, and I intend to protect Mr. Otepka by every means at my command against accusations which complain, in effect, that he told the truth when asked to do so by a Senate subcommittee."

There can be no doubt that this case reflects an intention by the Kennedy administration to conduct a purge of patriots. The subcommittee feels that the often misused doctrine of executive privilege can be claimed only by the President, not by any bureaucrat who feels like thwarting Congress. We trust that the Senate will press this central point, for if it lets the issue go by default, Congress will soon find itself hamstrung by the bureaucracy in looking into any facet of public business whatsoever. It would be salutary if it invoked its powers to punish for contempt.

Meanwhile, it should exert its utmost efforts to safeguard Mr. Otepka's career through avenues of appeal which ultimately permit reviews of his case by Secretary Rusk and President Kennedy. We have no great faith that there will be sympathy for Mr. Otepka in any of these quarters, for it is obvious the administration was out to get him, and did. These are the kind of rewards a loyal American can expect from a crowd which can always find excuses for Khrushchev or Tito but none for a vigorous anti-Communist.

[From Glen Falls (N.Y.) Post-Star, Oct. 2, 1963]

ANOTHER OUTRAGE

Washington is able to live only so long before, periodically, it is confronted by a clash between the rights of the executive branch and those of the legislative branch. The latest case concerns a State Department officer who reportedly faces discharge for leaking information to the Senate Internal Security Subcommittee during the Truman administration. Representative H. R. GROSS of Iowa, a Republican, terms the reported threat an outrage.

According to press reports, the man in question dealt with the Department's security information. It is further reported that he is accused of violating an Executive order by giving information in his care to the Senate committee. The order in question provided that records on the loyalty of Government employees were to be kept in confidence in the executive branch.

According to the Constitution the Government is divided into three separate branches, the executive, legislative, and judicial. None is actually independent of the others but none can give orders to the other, either. Congressman GROSS asserts that the Senate committee "had every right to know" the information it is supposed to have received. That is a debatable point depending upon the nature of the information. The question to be settled, however, is whether it had the right to obtain the information as it did or, more precisely, whether the State Department employee had the right to give it as he did.

One of the constant complaints related to loyalty information in the past was that unevaluated, unverified information—gossip—was tossed into the public record causing injury to innocent persons. Congress did not have a "right" to this kind or to use it as it often did.

However, the claim that Representative GROSS appears to be making is that State Department aids are employed by Congress and should respond with information in their care on request. This cannot be so This man was under Department orders and those are the orders he should have obeyed. As a matter of fact we do not know that he didn't; he is only accused of "leaking" information. However that may be, he is responsible to his superiors, not to Congress.

If Representative GROSS sincerely believes that an outrage is being perpetuated—legally perhaps—one is tempted to offer a suggestion. Why not give this man a position with one of the congressional committees? Or would these committees feel that their secrets would not be safe with him?

[From the Rockford (Ill.) Register-Republic, Oct. 18, 1963]

MORE EVIDENCE OF ARM TWISTING

Two new incidents this week were added to the growing pile of evidence that the New Frontier will go to great lengths to apply the hammerlock to any person who dares to disagree with the policy of the moment.

Otto F. Otepka, veteran Chief of the Evaluations Division of the State Department's Security Office, charged that he has reason to believe that his office telephone had been tapped and that his desk and safe have been opened and searched "with the knowledge

and approval of my superiors, if not by their express direction."

Otepka got into hot water with his superiors when he allegedly gave classified information to the Senate Internal Security Subcommittee. Otepka said he did not furnish any information until confronted with testimony by his superiors which appeared to make him a liar under oath.

Then, Senator ALBERT GORE, Democrat, of Tennessee, charged that the Democratic National Committee was attempting to use the tax reduction bill to purge him from office.

Senator GORE, who opposes the measure, accused his own party leaders of political intimidation. He said seven-page telegrams urging support of the tax bill had been sent to Democratic leaders throughout Tennessee.

Otepka is a marked man. His days in the State Department obviously are numbered. Senator GORE is a tougher opponent. His continued life in the Senate is measured by his constituents' votes, not the whim of high party leaders. But the road to reelection could be made rocky by opposition from within his own party.

These are not isolated incidents. They are symbols of a growing panic at the slow pace at which the administration's legislative program is moving.

They are examples of exerting "muscle" to force the puppets to dance when the strings are pulled. Attempts to "lean" too hard on either elected or appointed Government officials in efforts to bring them back into line are not palatable to the majority of Americans.

[From the Watertown (N.Y.) Times, Nov. 6, 1963]

THE OTEPKA CASE

The name might suggest to many an espionage case, and that's practically what it is, but with a difference. Otto F. Otepka has been removed by the State Department from his post as chief security evaluations officer because he gave confidential documents to the "enemy"—the Senate Internal Security Subcommittee.

There has hardly ever in the history of the Republic been a time when governmental departments and bureaus did not wrestle with this enemy within: congressional prying. The Otepka episode is only the latest. Congress will now bend every effort to make the State Department sorry that it fired Mr. Otepka *because he* gave the legislative branch of the Government some inside information on what the executive branch is doing. Senator THOMAS J. DODD, vice chairman of the Senate subcommittee to which Otepka told tales out of school, has risen to the State Department's challenge, and the State Department will find that it has provoked one of the Senate's touchiest on the subject of security. Senator DODD rates himself high as a judge of loyalty.

The gist of the State Department's grievance and dismissal of Mr. Otepka is that he conspired with the Senate subcommittee in its investigation of departmental security practices in an effort to make his superiors look bad, and that is one of the best known ways for anyone, in or out of Government, civil service or not, to lose his job.

Mr. Otepka, a career man in Government service, has as his specialty the sifting of the backgrounds of prospective Government officials for compromising breaches of accepted standards of patriotic conduct. He came to State from the Civil Service Commission in 1953 as Chief Evaluator of Security Clearances, and he has made a reputation for himself for upholding his own judgments, for or against a person under consideration, regardless of any political pressures that may be brought. The trouble is that it seemed to the State Department that he did finally yield to some political pressure; namely, from the Senate investigatory body, in trying to lend assistance. When a Senate committee decides to investigate, it intends to find something.

[From the Charleston (S.C.) News and Courier, Oct. 25, 1963]

MR. OTEPKA'S DUTY

Alarmed at the possibility of senatorial and public indignation over its treatment of Otto F. Otepka, Chief Security Risk Evaluator, the State Department may be planning to reprimand Mr. Otepka rather than seek his dismissal from Government service. This is the report from Roulhac Hamilton, News and Courier Washington correspondent.

The Senate Internal Security Subcommittee, of which Senator OLIN D. JOHNSTON is a member, should no more tolerate a reprimand than dismissal of Mr. Otepka. His crime is that he informed the Senate that high State Department officials were planning to bring known security risks back into the Department. Because he furnished this information to the legislative branch of Government, Secretary of State Dean Rusk wants to oust Mr. Otepka.

The Internal Security Subcommittee should make clear that all Government employees owe their loyalty to the United States of America, not to any Department thereof. If Mr. Otepka had evidence of actions hurtful to the security interests of the United States, he had a right—indeed it was his duty—to report it to officials who would take action.

To reprimand a U.S. citizen for doing his duty would be a shame and an outrage. It would be an unmistakable signal to other State Department employees to cover up evidence of disloyalty.

[From the St. Louis Post-Dispatch, Nov. 5, 1963]

ON FIRING OTEPKA

The State Department acted forthrightly and courageously in firing Otto Otepka, its former Chief Security Risk Evaluator, on charges of unbecoming conduct. If the State Department accusations are factual, Mr. Otepka is himself a security risk and should not hold a sensitive post. If Mr. Otepka thinks they are not, he has ample avenues of appeal.

Mr. Otepka, who has been under suspension since September 23, was charged with declassifying and mutilating certain documents and with having prepared questions for the counsel of the Senate Internal Security Subcommittee to ask State Department witnesses. He denied violating the spirit of the departmental regulations. The subcommittee was then investigating State Department attitudes toward Fidel Castro in the period of Castro's rise to power.

The subcommittee, through its vice chairman, Senator DODD of Connecticut, strongly supported Mr. Otepka, contending that violations, if they occurred, were "technical." They seemed to us, and obviously to the State Department, to be anything but that. And they must have seemed substantive to the White House—President Kennedy promised on October 9 to examine the matter himself when the time came for disciplinary action.

As we have noted previously, there is more involved here than the activities of Mr. Otepka. The question, and it is not a new one, is whether congressional witch hunters are to be allowed to reach down to minor officials in the executive branch and use them to promote their own causes. It is not a question of getting information; that could properly have been obtained through legitimate channels.

A decade ago the State Department knuckled under to Senator McCarthy on the same issue as the one presented in the Otepka case. We congratulate the Kennedy administration for putting the Senate inquisitors in their place.

[From the New York World-Telegram and Sun, Nov. 13, 1963]

DISCORD AT STATE

It sounds like a pretty mess at the State Department with one official fired for slipping unauthorized information to Congress and three others charged with snooping on the first man, then denying it to a committee of Congress.

Otto F. Otepka, former Department security risk evaluator, provides the affair with its name—the Otepka case.

His dismissal was based, among other things, on the charge he gave a senatorial committee confidential information from security files so touchy it is supposed to be released only with the personal approval of the President.

He has a right to appeal, but if the charges stand up, he clearly was insubordinate and ought to stay fired.

Senators defending him, including such powerful figures as DODD of Connecticut and EASTLAND of Mississippi, consider the case a test of the powers of Congress as opposed to the Executive powers of the President.

This recurring conflict provides the case with added drama.

DODD demands that, instead of firing Otepka, the Department get rid of three other officials, at least two of whom denied to a Senate subcommittee they had installed a listening device in Otepka's office, then later admitted it.

These charges are under investigation. These men also have placed their jobs in grave jeopardy, if not for spying on Otepka, then for misleading the Senators.

But all questions of degrees of guilt aside, the incident lifts the curtain on a nasty internal condition at State which is highly disturbing.

This is the Department which works in a thousand ways to uphold the dignity of the United States around the world, and to keep it out of war.

Whether speaking to Congress or to Khrushchev, the Department should speak with one voice and that voice should be the voice of the Secretary of State.

If tenure imposed by civil service regulations prevents this and institutionalizes disharmony, then there is something badly wrong with civil service regulations.

The security of the United States, upon which the smooth function of this Department measurably depends, is vastly more important than the right of an uncooperative Government employee to hold on to his job.

[From the Salt Lake City (Utah) Tribune, Nov. 11, 1963]

FIRED FOR CAUSE

The State Department's firing of Otto Otepka, its former chief security risk evaluator, has occasioned a flurry in Washington.

One critic has asked, "Why is it wrong to give information to the Senate Internal Security Subcommittee; it's on our side, isn't it?"

Mr. Otepka was charged with unbecoming conduct. He had been under suspension since September 23, charged specifically with declassifying and mutilating certain documents and with having prepared questions for the counsel of the subcommittee to ask State Department witnesses. The subcommittee at the time was investigating State Department "attitudes" toward Fidel Castro during the period of Castro's rise to power.

Vice Chairman DODD of the subcommittee contends that any violations of which Mr. Otepka might be guilty were purely "technical." Involved in the total issue is whether congressional probers can reach into the executive department and have an official surreptitiously do their work for them. The issue goes beyond getting information which could have been obtained through legiti-

mate channels. It strikes at the system of checks and balances.

The Kennedy administration has rightfully acted in defense of the executive department. A decade ago when a similar issue was presented, the State Department surrendered to Senator McCarthy. The country did not benefit.

[From the New Bedford (Mass.) Standard-Times, Nov. 7, 1963]

OTEPKA PAYS THE PRICE

The dismissal of Otto F. Otepka, a State Department security officer, is sad evidence that the outspoken anti-Communist has everything to fear in the diplomatic bureaucracy, and the leftwinger is assured of the ultimate in protection.

Otepka was the principal witness before the Senate Internal Security Subcommittee that made an 18-month investigation of why U.S. diplomats were so misinformed as to the Communist orientation of Fidel Castro.

Otepka discussed in detail the background of one William Arthur Wieland, who had charge of the State Department's Cuba desk during Castro's rise to power.

The subcommittee reported that Wieland, who formerly lived in Cuba under the name Montenegro, a fact he had not disclosed on his employment application—had been guilty of grave errors of judgment and had failed to forward to State Department superiors material concerning Castro's Communist ties.

A State Department investigation of Wieland concluded he was not disloyal but that, as the subcommittee concluded, his judgment was faulty.

The net result: Wieland is still holding a comparable important position in the State Department; Otepka is now dismissed for alleged furnishing to the subcommittee copies of classified documents concerning the case, in violation of a Truman administration order on executive department privilege with reference to classified papers.

Is the American public supposed to believe that Otepka's alleged violation is the first instance of classified information finding its way out of the State Department? Has not the administration, and others before it, constantly leaked the imports of such documents to news media when the objective was considered of sufficient importance, political or diplomatic?

Security officer Otepka may have violated a regulation. But, if so, it was in cooperation with a sensitive and security-conscious arm of the Government, an important agency of the U.S. Senate, and his motives could only have been of the highest.

Had Otepka belonged to the powerful, intrenched "fourth floor" of the State Department, there can be little doubt a way would have been found to excuse his transgression. But he does not belong, as Wieland apparently does. For the one, retribution is inexorable, speedy and harsh; for the other, long-winded extenuation, security, preferment. This is a miserable contrast in how not to beat the enemy.

[From the Perth Amboy (N.J.) News, Nov. 8, 1963]

SKELETONS IN STATE'S CLOSETS?

A high-ranking State Department security aid is facing disciplinary action, and the bitter reaction from Congress is just starting.

The issue is simple: Can Government agencies work behind closed doors, hidden from the watchful eyes of Congress and the taxpayer?

Otto F. Otepka was in the post of chief security evaluation officer in the State Department until his dismissal by that agency this week. It had been coming.

He was accused of "leaking" to the Senate Internal Security Subcommittee what the State Department considers classified documents.

This is by no means the end of the Otepka case, because Congressmen have pledged to have the full story told.

Moreover, it is by no means the end of congressional efforts to find out what is going on behind curtains of secrecy. This curtain is dropped by the entrenched bureaucracy under the tired label of the "national interest."

When a security aid is fired, the logical question is, What does the department in question have to hide?

What is the department afraid of Congress uncovering?

Full disclosure and the public's basic right to know demands a full investigation of the Otepka case and continuing efforts to prevent Government agencies at any level from clandestine operations.

[From the Alexandria (La.) Town Talk, Nov. 1, 1963]

ONLY IN WASHINGTON

Otto Otepka is a security specialist in the State Department who has been charged with breaches of security. The State Department has not suspended him.

Meanwhile, the Senate Internal Security Subcommittee pursued an investigation of the State Department's investigation of Mr. Otepka, who is charged specifically with leaking classified information to the subcommittee's counsel, J. G. Sourwine.

At last report from the wonderful wizards of the Potomac, it had not been determined who would investigate the Senate committee's investigation of the State Department's investigation of Mr. Otepka.

[From the Minneapolis (Minn.) Tribune, Nov. 3, 1963]

A QUESTION OF SECURITY

To the EDITOR:

Otto Otepka, a civil servant of the State Department, is about to be fired by Dean Rusk, an executive appointee, or by other civil servants because he answered questions posed by members of the Senate Internal Security Committee, sent to Washington by constituents.

It was intended by our Founding Fathers that checks and balances be set up whereby control would remain in the hands of the people through their elected representatives. But the burgeoning bureaucracy of the Kennedy administration is audaciously attempting to cashier a faithful employee who was merely obeying the law.

Richard Wilson (October 20) pinpoints the real reason: "The truth is that Otepka follows too hard a line in security evaluations to satisfy his immediate superiors." Is it any wonder the State Department is charged with being soft on communism?

R. L. HEUNISCH.

MINNEAPOLIS.

[From the Greensboro (N.C.) News, Nov. 8, 1963]

OTEPKA DAY

Tuesday, if the gentle reader is not aware of it, was "Otepka Day" at the State Department in Washington—that is to say, the day on which State handed Mr. Otto Otepka, its chief security risk evaluator, his walking papers. It has been so designated by the silly-willies who lavish martyrdom on anyone who resists the State Department's dark conspiracy against the American way.

Mr. Otepka has been fired (subject to review by the Civil Service Board) for "conduct unbecoming an officer of the Department of State"—more specifically, for turning classified information over to J. G. Sourwine, the chief sleuth of the Senate Internal Security Subcommittee, whom we seem to remember as a hand-me-down from the McCarthy days. Mr. Otepka has not denied that he provided classified information as "exhibits" for Mr. Sourwine's use.

Prominent Senators—themselves members of the Internal Security Subcommittee—have sprung to Mr. Otepka's defense; and Representative GROSS of Iowa calls his firing an outrage.

Is it really? The public has no way of knowing, at this point, whether the classified information Mr. Otepka turned over to the Senators should be "classified"; but that is essentially beside the point—which is simply that a State Department employee may not convey classified papers to unauthorized persons.

This was, of course, the original charge against Alger Hiss—that he had turned over secret papers to outsiders. And it is passing strange that those who so mercilessly pressed for justice to Mr. Hiss would now make a martyr of a man who is apparently guilty of the same indiscretion. What sort of double standard is this? Are the learned Senators attempting to maintain that when Mr. Hiss relayed classified papers to outsiders—if he did so—it was high treason, but when Mr. Otepka did the same it is patriotism?

[From the Philadelphia News, Nov. 9, 1963]

CONFLICT OF INTEREST CASE LEAVES OTEPKA IN MIDDLE

A conflict of interest case unlike those we usually hear about has aroused the ire of a number of Congressmen. This one involves Otto F. Otepka, who has been removed from his post as Chief Security Evaluations Officer of the State Department.

Otepka's conflict of interest involves his loyalty. He worked for the State Department, but was called upon to give information to the Senate Internal Security Subcommittee.

This put him squarely in the middle of a longstanding struggle between Congress and the executive branch over how much information the executive branch has a right to withhold from legislators.

The State Department charges that Otepka handed over confidential documents, and even suggested a line of questioning that the subcommittee's counsel should follow in quizzing Otepka's superiors. State obviously feels that Otepka's usefulness is ended.

Senator THOMAS J. DODD, Democrat, of Connecticut, vice chairman of the subcommittee, accuses the State Department of treating Otepka worse than someone guilty of disloyalty or espionage.

The conflict between Congress and the executive branch is an old one, and is, in fact, a conflict no one really wants to see ended.

But a delicate and useful system of checks and balances is at work here and the case of Otepka is a classic example of divided loyalty.

Otepka has said he will appeal. His dismissal is subject to review by Secretary of State Dean Rusk and President Kennedy.

In the meantime, how about some guidelines for people like Otepka? There will certainly be others in the future.

[From the Greenville (S.C.) News, Nov. 9, 1963]

WHEN DID THIS BECOME A CRIME?

The curious case of Otto F. Otepka is bound to have serious repercussions in Washington for many weeks to come.

Mr. Otepka was fired by the Department of State on official grounds of "conduct unbecoming an officer" of the Department.

Stripped of officialese, this means that Mr. Otepka got caught giving the Senate Internal Security Subcommittee information on State Department policies and policymakers involved in the Cuban situation.

He is accused of turning over classified documents and helping prepare questions for J. G. Sourwine, subcommittee chief counsel, to put to witnesses during an investigation into the Cuban crisis.

Already members of the subcommittee are protesting the action. Senator THOMAS DODD of Connecticut, a Democrat, interprets the dismissal of Mr. Otepka as a direct slap at Senate authority and as a "serious challenge to responsible government."

Senator DODD points out that Mr. Otepka is not charged with having falsified information but with simply handing the group some facts it might find useful in its efforts to preserve the Nation's security.

Although the punishment meted out to Mr. Otepka is severe, his actions are not unprecedented. Officials in executive departments have "leaked" information to Members of Congress from time out of mind, just as Congressmen have "leaked" information from Capitol Hill.

Admirals have leaked information bolstering their case against the Army and Air Force. The Securities and Exchange Commission has been accused of leaking reports on its proceedings in cases. And who can surpass Brother Bobby's Justice Department for skillful leaking of progress reports on criminal cases?

Is anyone prepared to propose that the middle Kennedy brother be fired for giving out "secret" information?

The executive department, the Congress and enterprising reporters have all benefited from this loose handling of so-called "secret" information. On balance, we are sure that the American public has benefited as well.

But rarely if ever has a member of a department been fired for this almost commonplace act. If it should become a hard and fast precedent the civil service rolls will shrink to almost nothing.

It is hard to understand why Mr. Otepka's "crime" is any more heinous than the thousands which have gone before. It leads almost inescapably to the conclusion that the State Department has something dreadful to fear from such leakage.

The Senate Internal Security Subcommittee should launch an immediate investigation into the State Department's suspiciously harsh treatment of an old and able employe. We shall look to Senator OLIN JOHNSTON, a member of the subcommittee, for a report soon.

[From the Lansing (Mich.) State Journal, Nov. 9, 1963]

OTEPKA'S OUSTER DISTURBING

The dismissal Tuesday of Otto F. Otepka from his job as chief security evaluations officer for the U.S. State Department raises new and disturbing questions as to what's going on in Washington.

Otepka was fired on charges of conduct "unbecoming an officer of the Department of State." Under suspension since September 23, he was accused among other things of giving confidential information to the Senate Internal Security Subcommittee.

The ouster of Otepka recalls a column we published a few weeks ago in which Washington writers Robert S. Allen and Paul Scott reported that Senate probers digging into the case "uncovered a backstage effort within the State Department to clear the way for a number of former security risks, including Alger Hiss, to worm their way back onto the Government's payrolls as either employes or consultants."

Otepka reportedly was so shocked by the activities of one of the central figures in the maneuvering in behalf of the former security risks that he sent a series of reports to his superiors, including one that was routed through channels to McGeorge Bundy, President Kennedy's chief White House adviser on foreign policy.

Otepka was quickly placed under surveillance and then removed from security operations, according to the Allen-Scott report, and charges of "misconduct," involving the alleged turning over of documents to the Senate subcommittee, were filed against him.

Senator THOMAS J. DODD, Democrat, of Connecticut, attacked Otepka's ouster as an affront to the subcommittee, which he heads, and to the Senate as a whole.

"In the topsy-turvy world of the State Department, 'security violations' have come to mean not the act of turning over information to an alien power but the act of giving information to a Senate subcommittee," DODD told the Senate.

"The charges boil down to the simple fact," DODD said, "that Otepka testified honestly before the subcommittee about matters relating to security in the Department of State."

The Senator also said that the State Department in the Otepka case has in effect nullified statutes establishing the right of Government employes to furnish information to Congress and has "issued a warning to all employes who cooperate with the Internal Security Subcommittee that the giving of testimony unpalatable in the higher echelons of the Department is a crime punishable by dismissal."

Asked about the case at a news conference October 9, President Kennedy said, "I will examine the matter myself, when it comes time to take any disciplinary actions, if such a time does come."

Evidently somebody in the State Department decided the time had come Tuesday. It raises the question of whether Kennedy did examine the case and, if so, whether he goes along with the dangerous notion that security officials are supposed to guard the the security of departmental officials against congressional investigations or the security of the Nation against its enemies.

[From the Anniston (Ala.) Star, Nov. 7, 1963]

STATE DEPARTMENT THROWS BOOMERANG

There are some painful and unanswered questions left in the wake of the State Department's firing of Otto F. Otepka, its chief security risk evaluator.

Although the evidence is not yet conclusive, the Department may be the guilty party.

It may be guilty of getting rid of an officer who had the disconcerting habit of providing Congress with keys to unlock the musty vaults where evidence of official mistakes are kept.

Second, it opens the Department and the entire administration to charges by the fevered rightwing that may stick.

Two of the 13 specific charges against Otepka accuse him of preparing questions for a Senate Internal Securities investigator. The committee was conducting an inquiry into the reasons the State Department did not know that Fidel Castro would turn sour.

While it is a natural instinct to hide mistakes, the airing of these mistakes is a basic safeguard of our governmental system.

The ability of Congress and newsmen to present to the American public the whole record—both good and bad—affects the flow of information with which we can make a judgment about whether an administration should be reelected or turned out.

Critical examination is equally as vital in Democratic administrations as in Republican administrations.

Of course, the fact that Mr. Otepka is the chief security risk evaluator is incidental. But the frantic rightwing will probably translate his firing as an attempt by the administration to protect the "thousands of Communists in the State Department."

These charges, when they come we will brand as patently false because the sources that make them never have evidence, only suspicion.

Certainly, Government employees owe their superiors loyalty. They can and should be replaced if they are not doing a good job. Carefully prepared leaks aimed at specific personalities in any department involving information it is not necessary for the public to know to evaluate an administration could be considered a firing offense.

But, if the whole case against Mr. Otepka is no more damaging than providing clues to a Senate committee to get answers that should be found, the State Department itself will be on trial for his firing.

[From the Evansville (Ind.) Press, Nov. 13, 1963]

OTEPKA CASE PUTS SPOTLIGHT ON NASTY CONDITION AT STATE

It sounds like a pretty mess at the State Department with one official fired for slipping unauthorized information to Congress and three others charged with snooping on the first man, then denying it to a committee of Congress.

Otto F. Otepka, former Department Security Risk Evaluator, provides the affair with its name—the Otepka case. His dismissal was based, among other things, on the charge he gave a senatorial committee confidential information from security files so touchy it is supposed to be released only with the personal approval of the President.

He has a right to appeal but if the charges stand up he clearly was insubordinate and ought to stay fired.

Senators defending him, including such powerful figures as DODD of Connecticut and EASTLAND of Mississippi, consider the case a test of the powers of Congress as opposed to the Executive powers of the President. This recurring conflict provides the case with added drama.

Senator DODD demands that instead of firing Otepka, the Department get rid of three other officials, at least two of whom denied to a Senate subcommittee they had installed a listening device in Mr. Otepka's office, then later admitted it. These charges are under investigation. These men, it seems to us, also have placed their jobs in grave jeopardy, if not for spying on Otepka, then for misleading the Senators.

But all question of degrees of guilt aside, the incident lifts the curtain of a nasty internal condition at State which is highly disturbing.

This is the Department which works in a thousand ways to uphold the dignity of the United States around the world, and to keep us out of war. Whether speaking to Congress or to Khrushchev the Department should speak with one voice and that voice should be the voice of the Secretary of State.

If tenure imposed by Civil Service regulations prevents this and institutionalizes disharmony, then there is something badly wrong with Civil Service regulations. The security of the United States, upon which the smooth function of this Department measurably depends, is vastly more important than the right of an uncooperative Government employee to hold on to his job.

[From the San Antonio News, Nov. 8, 1963]

STATE DEPARTMENT'S NEW SECURITY CASE

Firing of State Department security investigator Otto F. Otepka brings to the fore once again the problem of independence between executive and legislative branches of the Government.

Otepka was dismissed for giving what the State Department says is classified information to the Senate Internal Security Subcommittee. Specifically, he offered data for questions to be asked by the subcommittee's staff lawyer.

Otepka very probably violated Department rules. The question is whether such violation was in the public interest—as it very well could be. At any rate, the subcom-

mittee now is duty-bound to justify its probing into whatever it was the Department finds so objectionable about the disclosures.

State Department "spokesmen" say the kernel of the controversy is that "Otepka is out of step with the times. * * * We are not witch-hunting anymore. * * * we have no security risks, and he (Otepka) knows it."

That is a sweeping statement, even naive. Security clearances are sensitive matters; they should be handled fairly and carefully. It is always a big surprise to find some trusted employee has been some kind of a spy, so it is better to err on the side of caution than on the side of carelessness in security matters.

We certainly do not presume to judge the case. We think that where executive employes have information they believe to be for the public good, they should place it where it will get adequate consideration. This clearly places the burden of proof upon the Senate subcommittee to justify what has been done.

[From the Roswell (N. Mex.) Record, Nov. 7, 1963]

SENATORS KEPT IN DARK?

Why should any information be withheld from the Senate Internal Security Subcommittee? How can such a committee operate unless it has all the facts in hand to judge any case of security violation.

It seems strange to us that Otto F. Otepka was dismissed from his job as State Department security officer for, among other things, giving confidential information to the Senate Internal Security Subcommittee. Is this a crime? Is this reason for dismissal?

How can our Senators do their jobs properly unless they have access to information concerning security violations? It appears here that the executive branch of the Government is usurping the constitutional power of the legislative branch of Government.

Would the same thing happen to a State Department employee who gave information to the House Un-American Activities Committee?

The formal charge against Otepka was conduct "unbecoming an officer of the Department of State."

Did this conduct merely mean that the man was cooperating with the U.S. Senate?

Now, there may be more to this case than meets the eye. But, it seems to us that Senators charged with security matters should have access to any information that is pertinent.

Are the branches of Government in competition with one another—the State Department hiding facts—the Senate and the Senate forced to scratch for information.

We feel that the public is due a complete explanation of Otepka's firing. Does the State Department consider a request from the Senate for information "none of the Senate's business?"

If so, things are in a sorry state.

[From the Knoxville (Tenn.) Journal, Nov. 7, 1963]

THE PRICE OF DISCLOSURE

The Senate Internal Security Subcommittee is charged with the responsibility of attempting to weed out subversive characters who have had a way, during the past 40 years, of infiltrating places both high and low in the Federal bureaucracy. This committee carries on its work by summoning witnesses whose testimony it is felt will shed light on matters related to national security.

The committee is bipartisan, and over the years has managed to provide substantial protection for the Government in this fashion.

Now the country is faced by the spectacle of the firing of the chief security officer of the State Department by Secretary of State Dean Rusk on charges that this career employee had disclosed departmental secrets. One might conclude from this bare recital of the facts in the case of the security officer, Otto F. Otepka, that this man had handed over to some potential enemy, such as Russia, vital information. The fact is that he is being fired because his testimony before the Senate committee made liars out of several of his superiors in the State Department who had, either in ignorance or purposely, connived at the employment of persons in the Department who were doubtful security risks.

Members of the Senate committee are naturally indignant that Otepka has been dismissed on charges of conduct "unbecoming an officer of the Department of State." Several of these Senators are predicting the security officer's reinstatement. Not as a partisan matter, but as one of concern for the continued seeking out of subversion, we hope that the Senators are right.

Of course, Mr. Otepka may be in the process of being blessed if his discharge stands. We recall that in 1957 the Tennessee Valley Authority fired Joseph C. Swidler for preparing loaded questions to be asked by U.S. Senators during the course of hearings on the confirmation of Arnold R. Jones, nominated to membership on the TVA board. Swidler's firing was handled under the cloak of resignation, but there was never any question about the real facts in the case.

This appeared to be a sad blow to Mr. Swidler's career, but the next thing anyone knew, he bobbed up as the President's Chairman of the Federal Power Commission, a post which he holds today. Mr. Otepka may take some comfort from this occurrence so far as the future is concerned.

We hope, however, that before he takes a new job anywhere, he will write a book giving the American people the facts on his discharge and the identity of his accusers. Subversion is nothing new in Foggy Bottom, but the only protection against it is full disclosure when it appears.

[From the Oakland (Calif.) Tribune, Nov. 7, 1963]

A RIPROARING EVENING

One of the most important developments in modern political affairs has been the appearance of a healthy dialog in the realm of political science.

Basic issues are being explored as never before. Positions are being articulated with more skill than has been evident in years.

Bay area residents will have a chance to observe political exchange at its very best in a few days. On the evening of November 18, in the Berkeley Community Theater, there will be a debate between the eminent conservative editor and columnist, William F. Buckley, Jr., and the distinguished University of California Professor Joseph Tussman.

To top it off, the moderator of the debate will be Eugene Burdick, author of the best-seller, "Fail-Safe."

The debate will be conducted on the subject, "Resolved: The Communist Investigating Committees Have Been Beneficial to the American People." In other words, it will undoubtedly center upon the activities of the House Committee on Un-American Activities, and the Senate Internal Security Subcommittee.

This particular debate will be conducted Oxford style, which allows the opponents to cross-examine each other. We can scarcely imagine a more lively and enlightening evening. Both as sheer entertainment, and as a means to achieve enlightened citizenship, the debate promises to be unusually fruitful.

Why don't you plan to see it?

[From the Chicago (Ill.) Tribune, Nov. 20, 1963]

SOME CLARIFICATION

Caught up in their own and the State Department's lies, two of the Department's security officials have found it advisable to resign after first having been put on "administrative leave." The two who have departed under fire of the Senate distinguished themselves as the administration's hatchet men in a campaign to get rid of Otto F. Otepka, the Department's security evaluations officer.

The State Department had aroused the anger of a Senate security subcommittee by firing Otepka after he had testified before the committee about disloyalty within the State Department. The Department accused him of telling secrets to the Senators and charged him with conduct unbecoming a diplomatic officer. Otepka is still on the payroll pending an appeal.

Called before the committee to explain the charge against Otepka, John F. Reilly, Deputy Assistant Secretary of State for Security, and Elmer Dewey Hill, a subordinate, told the Senators under oath that they knew nothing of any attempts to tap Otepka's telephone.

Last week the two men—plus a third who had given similar testimony but is still on duty—sent letters to the subcommittee purporting to "clarify" their testimony. This "clarification" consisted of an admission by Reilly that he had given orders to "survey feasibility of intercepting conversations in Otepka's office." There, according to the letters, Hill and the third man "altered the existing wiring in the telephone in Otepka's office to the division of technical services laboratory by making additional connections in the existing telephone wiring system."

Their purpose, according to this lame excuse, was not to monitor the telephone but to pipe all of Otepka's office conversation into Hill's laboratory. Having thus bugged all of his conversation by way of his telephone, and searched his classified wastebasket as well, the three men had the nerve to swear that they knew nothing of attempts to tap his telephone.

For telling the truth to the Senators, Otepka was fired. For lying to them, Reilly [said to be a close friend of Attorney General Kennedy] and Hill have been reluctantly and belatedly allowed to go their way. Thus has the State Department demonstrated its measure of ethics: To collaborate patriotically with Congress is conduct punishable by dismissal; to impede and mislead Congress and to persecute those who collaborate with it is preferable. The testimony of Reilly and Hill is not the only thing in the State Department that needs "clarification."

[From the Nashville (Tenn.) Banner, Nov. 7, 1963]

MEANWHILE, FOR TELLING TRUTH, OTEPKA LOST HIS JOB

If it shocks that Otto Otepka—the State Department's chief evaluator of security risks—has been fired for telling the truth, the shock isn't relieved by disclosure of the methods employed in the search for grounds of dismissal. By reports now current in the Senate, Government "cloak and dagger" operatives used all the tricks in the trade in "investigating" him. They checked discarded carbon papers, looked at used typewriter ribbons, and one Senator claims they put a "tap" on the Otepka telephone.

One would assume that this technique is reserved for spies, serving some unfriendly power. Mr. Otepka was not engaged in espionage. His "offense" was that of testifying before the Senate Internal Security Subcommittee in connection with its investigation of State Department Cuban policies; and answering some questions put to him by that body. The truth of his answers isn't in dispute.

But as a result of this intra-Department sleuthing, Mr. Otepka has been dismissed, presumably with the sanction of Secretary of State Dean Rusk.

Although Republican members of the subcommittee have been outraged by this action, it is more significant that the most telling criticism has come from Senator THOMAS J. DODD, Connecticut Democrat and vice chairman of the body.

Terming the firing of Otepka a serious challenge to responsible government, Senator DODD added: "This man was not charged with giving the committee false information. He was fired because he gave the committee true information that embarrassed someone." It was DODD who said he had "proof positive" that Otepka's phone was bugged.

It is the contention of other subcommittee members that the information received from the security officer was needed in order to establish that other State Department officials were not telling the truth.

Obviously, there must be a great deal about the administration's Cuban policies which would "embarrass someone." But any effort on the part of any official to cover up by telling lies is beyond the pale.

Apparently, the subcommittee, which naturally would be dominated by Democrats, was attempting to find out Cuban policies—past and present. The Nation would like to know what they are, or were. Though the administration's record is not one it can point to with pride, the story should be told short of violating national security regulations. The mistakes of the past cannot be hidden on an "out of sight, out of mind" in departmental files.

The Civil Service Commission will review the case and President Kennedy has promised to look into the matter personally.

But as of this moment, it appears that a career State Department official has been "sacked" for telling the truth to a subcommittee of the U.S. Senate who was trying to find out nothing but the truth.

[From the Spokesman-Review, Nov. 11, 1963]

OFFICIALS LIED TO NAIL OTEPKA

One of the strangest and most shocking stories to come out of the State Department in recent years is the acknowledgement that three of its officials did not tell the truth when they were questioned with respect to the case of Otto F. Otepka.

The questioning was done before the Senate Internal Security Subcommittee months ago when that group was trying to find out why and how Mr. Otepka was being harassed by *his own State* Department superiors. He is the 27-year career man who was fired last week for conduct unbecoming an officer of the State Department.

Citizens who have been following this strange case will remember that Mr. Otepka had cooperated with the Senate committee in its investigation of how Fidel Castro came to power in Cuba and what was happening in our State Department before and after the Communist takeover.

The State Department apparently tried to brand Mr. Otepka as disloyal to the Department because he was more loyal to the U.S. Government and to the inquiries in the U.S. Senate.

Now it has been revealed that in their effort to discredit Mr. Otepka, three officials of the Department not only tried to "bug" the Otepka office but they misled the Senate committee when it was probing into that incident. Just the other day they corrected their earlier testimony before the committee and have since been suspended by the Department.

Senator THOMAS J. DODD, Connecticut Democrat, who is vice chairman of the committee, declared after this acknowledgement last week that "in effect, they lied under oath to a Senate committee; these are the fellows the State Department should prefer charges against, not Otepka."

Under the Kennedy administration the State Department has developed all sorts of justifications for conforming with the peaceful coexistence policies of such Communist leaders as Khrushchev and Tito. Yet there has been, among various State Department officials, little or no sympathy for men like Mr. Otepka, who was for several years the Department's chief security evaluations director.

The Otepka "crime" was to pass along to the Senate committee some information which other State Department personnel considered confidential.

It certainly is time for the Senate committee to get to the bottom of this case. Senator DODD and others on the committee should not be deterred by the mere fact that the Department itself has suspended the "bugging" officials and has tried to cover up the trail of mistakes previously made.

[From the Roanoke (Va.) Times, Nov. 11, 1963]

LOYALTY TO WHOM?

Another unhappy episode has been added to the long series of controversies between the executive and legislative branches of the Federal Government over the latter's right of access to information about agencies operating under the executive department. The question involved seems no nearer resolution now than at any time since it first became a bone of contention.

The current case is that of Otto F. Otepka, who was removed by the State Department as its chief security evaluations officer because, the Department charges, he gave confidential information to the Senate Internal Security Subcommittee.

Last month the State Department revealed how it put its own internal security apparatus to work on Mr. Otepka. In an operation with cloak-and-dagger aspects, the agency says it found evidence obtained by checking the contents of Mr. Otepka's "burn bag" that he had clipped "secret" classifications from some documents and had turned the documents over to the chief counsel for the Senate subcommittee. "Burn bags," it should be explained, are receptacles for officially destroyed papers. The Department's investigators also claimed they found evidence that Mr. Otepka had supplied the subcommittee's council a list of questions to be asked of State Department superiors of Mr. Otepka during a probe of State Department matters.

If Mr. Otepka appeals his removal from his $16,900-a-year position, the case could reach the courts after administrative channels are exhausted. Mr. Kennedy told a news conference last month that he would review the case before a final decision was reached. Whether this means the Chief Executive has already studied the case or whether he will take a hand in the likely appeal to Secretary Rusk is unclear.

At any rate, a serious question has arisen over the matter of loyalty of Government employees. In this context the issue is not one of loyalty to country but of loyalty to a branch of Government. The State Department decision in the Otepka case suggests it considers that loyalty to an agency of the executive branch supersedes loyalty to the legislative branch. If this is to be the standard, then, as Vice Chairman DODD, of the Senate subcommittee, charges, the American system of checks and balances in Government is at stake.

[From the Cincinnati (Ohio) Enquirer, Nov. 10, 1963]

CHASING THE POLICEMAN

"(d) The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress or to any committee or member thereof, shall not be denied or interfered with."

The foregoing excerpt from a Federal statute is basic to the American system of governmental checks and balances. It is not a license to the legislative branch of the Federal machinery to abscond with the constitutional prerogatives of the executive branch; but it does assure to Congress and to its legislative committees the right to secure the facts and figures without which their Members must legislate in darkness.

The provision has particular relevance in view of last week's dismissal of Otto F. Otepka for conduct "unbecoming an officer of the Department of State."

Another view of the charge against Mr. Otepka was offered by Senator THOMAS J. DODD, Democrat, of Connecticut, on the Senate floor Tuesday. "The charges on which Mr. Otepka's dismissal is based," Senator DODD told the Senate, "boil down to the simple fact that he testified honestly before the Senate Subcommittee on Internal Security on matters relating to security in the Department of State."

BEHIND OTEPKA: A RECORD OF EXCELLENCE

Had he not been singled out for dismissal, Otto F. Otepka very probably would have devoted his entire adult life to Government service without coming to the attention of the American public. He has behind him some 27 years of Government service. In the course of his career, he had risen to be Deputy Director of the State Department's Office of Security and officer in charge of evaluations. His efficiency ratings over the years have been nothing but "excellent." In 1958, in fact, he was singled out by Secretary of State John Foster Dulles to receive a Meritorious Service Award.

Quite suddenly, Mr. Otepka's prospects changed.

First of all, his State Department superiors installed a tap on his telephone. (A State Department official subsequently denied under oath that such was the case, but the Senate Internal Security Subcommittee purports to have evidence that the tap was in fact installed.)

Then they began to piece together scraps from Mr. Otepka's wastebasket.

Next they locked him out of his office and denied him access to his office files—all without bringing formal charges against him.

EVEN ENEMY AGENTS ARE NOT SO TREATED

As Senator DODD told the Senate Tuesday, "No one suspected of espionage or disloyalty has to my knowledge been subjected to such surveillance and humiliation."

The gist of the case against Mr. Otepka is that he helped to prepare a series of questions for J. G. Sourwine, counsel to the Internal Security Subcommittee, to put to State Department witnesses in the course of a recent inquiry into U.S. Cuban policy.

Mr. Otepka, it turns out, was convinced that the State Department officials were lying to the Senate subcommittee.

About other reasons for the sudden anti-Otepka vendetta there can be only speculation. The conservative fortnightly, National Review, contends that Mr. Otepka objected strenuously to the security clearance granted to Harlan Cleveland, Assistant Secretary of State for international organization affairs. An additional Washington rumor has it that a plan is afoot to bring Alger Hiss back into the State Department as a consultant.

Subcommittee members have indicated that Mr. Otepka is also concerned about the presence of men of questionable background in influential State Department assignments. Some of them purportedly helped to draw up the test ban treaty. Others, the same report goes, are working on additional agreements with the Soviet Union.

Mr. Otepka also is reportedly concerned about the Kennedy administration's practice of granting so-called emergency clearance to top State Department personnel at the rate of 150 a year (compared with two or

three emergency clearances a year during the Eisenhower administration). This means that such personnel go to work immediately without awaiting the normal procedures through which the State Department and other Federal agencies have traditionally protected themselves from subversives and others unsuited for access to Government secrets.

A final cause of concern to Mr. Otepka has been the constant juggling of Office of Security affairs since the very outset of the Kennedy administration. These successive reorganizations aroused the concern of John W. Hanes, who served as head of the office during the Eisenhower years. "I can only say," Mr. Hanes declared, "that this either is due to incompetence or a deliberate attempt to render the State Department's security section ineffective."

Whatever the specific facts of the case, there has been no hint of partisanship in the congressional outrage at the anti-Otepka campaign. When the Otepka crackdown began, in fact, the full Senate Judiciary Committee (of which the Internal Security Subcommittee is a part) voted unanimously to lodge a formal protest with Secretary of State Dean Rusk. Among those supporting the protest: Senator EDWARD KENNEDY, of Massachusetts, the President's brother.

It is small wonder that Senator DODD declared in his Senate speech Tuesday: "In the topsy-turvy attitude it has displayed in the Otepka case, the State Department has been chasing the policeman instead of the culprit."

Senator DODD is unquestionably aware that he has undertaken a fearful responsibility in registering so vigorous a protest against a department of the Federal Government. He is aware that allegations of incompetence—or worse—in the handling of security affairs are of the gravest nature.

So are we.

But if the Otepka case is weighed alongside the whole drift of the Kennedy administration in its frantic efforts to justify an "accommodation" with international communism, there is cause for the deepest concern on the part of every American.

From the wining and dining of J. Robert Oppenheimer at the White House to the selection of Alexander Meiklejohn (who has given his name to a campaign to destroy the House Committee on Un-American Activities and to an almost infinite variety of other leftist causes) to receive a Federal medal on the Fourth of July, the Kennedy administration has closed its eyes to what could happen and to what has happened in the past.

Such a line, far from reducing tensions in today's troubled world, has earned for the Kennedy administration the contempt of our enemies, the anxiety of our friends and the apprehension of the 180 million Americans the administration is sworn to protect.

[From the Texarkana (Tex.) News, Nov. 18, 1963]

OTEPKA REPERCUSSIONS

The firing of Otto Otepka raises a stench in the State Department. Though Otepka has been ejected from his job as a Department security officer, the last has not been heard of his case.

Otepka has the right of appeal, and the Senate Internal Security Subcommittee is showing a great deal of interest in how and why his dismissal came about.

Facts behind the case are strange. Otepka was charged with 13 violations of regulations, but most if not all of these were technicalities. His real "crime" in the eyes of top State Department officials, was his cooperation with the Senate subcommittee in its investigation of alleged laxity in security in the Department.

Moreover, the State Department apparently resorted to illegal wiretapping in its effort to get Otepka. Senator THOMAS DODD, vice chairman of the subcommittee, said his group has proof that Otepka's phone was tapped. State Department officials first denied, then admitted, that at least an attempt was made to do so.

DODD also reported that Otepka was locked out of his office, was denied access to his files which were rifled, and was humiliated before his fellow employes.

But the heart of the issue is whether a Federal employe should be harassed and fired for talking to a committee of Congress. The subcommittee had a right to the information it wanted.

[From the New Orleans (La.) Times-Picayune, Nov. 19, 1963]

NO TRADE

The resignation of two high officials in the Security Division of the State Department who figured in the recent dismissal therefrom of Otto F. Otepka, may strike some as a sort of poetic justice trade-off.

The immediate cause of the resignations has to do either with belated admission of using or trying to use a wiretap or "listening bug" in early stages of a checkup on Mr. Otepka; or with early denial or disclaimer of this attempt; or with both.

But behind this development are some other matters involving officials in the Department and Mr. Otepka which still keep alive the question of whether he was justly treated from the inception, and particularly with respect to the main gravamen of the charges against him—the disclosure of nominally "classified" documents, etc.

The Senate Judiciary Committee is very disturbed about the handling of the Otepka affair by the State Department. Leaving aside the matter of congressional-executive relations, the picture that has been drawn, and so far not contradicted, is that of a zealous security officer whose very zeal got him into hot water; of an officer whose only real recourse to protect himself in a situation of conflict in sworn committee testimony was to effect declassification, borderline or otherwise, of certain material. Until these points are cleared up, it cannot be assumed that anything less than reinstatement of Mr. Otepka, apart from resignations made or perhaps pending, will serve justice in his case.

[From the Riverside (Calif.) Enterprise, Nov. 21, 1963]

THE OTEPKA CASE

Nobody, but nobody, comes off well in the case of Otto Otepka.

Mr. Otepka, veteran Chief Security Evaluator in the State Department, was caught playing footsie with congressional investigating committees. Not only did he give a Senate subcommittee access to classified personnel files, but he coached committee members in methods of grilling his own superiors.

This is scarcely tolerable behavior, even assuming that Mr. Otepka was operating from the purest of patriotic motives. How can you run a department of government with this concept of internal loyalty?

But in order to complete the evidence on which they fired Mr. Otepka, two of his superiors tapped his telephone, rummaged through his desk and his wastebasket, and then falsely denied that they had done so.

This was sneaky business compounded by perjury, of which the pair may or may not have purged themselves by volunteering to correct their original testimony.

Now these two men, at first sent on leave when the case became sticky, have been allowed to resign. That is gentle treatment for such serious trespasses. Secretary of State Dean Rusk, who admittedly has other worries, nevertheless owed the country a more indignant reaction.

This does not complete the roll of inglorious behavior, however. Some Senators have been overplaying the affair as much as Mr. Rusk has been underplaying it. They have been trying to make a hero out of Mr. Otepka. Shades of the McCarthy era.

The whole thing has been a sorry mess. And it certainly has turned up no heroes.

[From the Terre Haute (Ind.) Star, Nov. 20, 1963]

OTEPKA REPERCUSSIONS

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Facts behind the case are strange. Otepka was charged with 13 violations of regulations, but most if not all of these were technicalities. His real "crime," in the eyes of top State Department officials, was his cooperation with the Senate subcommittee in its investigation of alleged laxity in security in the Department.

Moreover, the State Department apparently resorted to illegal wiretapping in its effort to "get" Otepka. Senator THOMAS DODD, vice chairman of the subcommittee, said his group has proof that Otepka's phone was tapped. State Department officials first denied, then admitted, that at least an attempt was made to do so.

DODD also reported that Otepka was locked out of his office, was denied access to his files which were rifled, and was humiliated before his fellow employees.

But the heart of the issue is whether a Federal employee should be harassed and fired for talking to a committee of Congress. The subcommittee had a right to the information it wanted.

Otepka has been dismissed for telling the truth—his right under the U.S. Civil Service Code which states that such "shall not be denied nor interfered with." He has been the victim of illegal tactics—wiretapping. The Senate committee should pursue the scent.

[From the Bridgeport (Conn.) Post, Nov. 16, 1963]

ONLY FACTS ARE NEEDED

Once upon a time, a radio character made famous the phrase: "If it's not one thing—it's the same thing." And, of course there is that ancient French proverb: "The more things change, the more they remain the same."

All of which is an oblique introduction to some views on the case of Otto F. Otepka, erstwhile Security Evaluations Chief of the State Department. Otepka, it will be recalled, was fired last week on charges that he had given confidential data about the Department's operations to the Senate Internal Security Committee's counsel without first obtaining his superiors' consent and approval.

Senators and Members of the House have arisen in what they obviously believe to be righteous wrath, led by Senator THOMAS J. DODD, to defend Otepka and to demand his reinstatement. The State Department, until now, has remained adamant in his dismissal, which he has the right to appeal.

All of this harks back to the McCarthy era and is the basis for referring to the illusion of change. The late Senator Joseph McCarthy, Wisconsin Republican, it will be remembered, even went so far as to appeal on the Senate floor to Federal employees to ignore their bosses' orders and provide him with data he needed to fuel his machine. It was mainly because of such tactics that he eventually was censured by the Senate itself.

On the other side of the coin there is an inscription that requires the rendering to Caesar the things that are Caesar's and in this case, it means information that belongs to the people, or their duly elected representatives. Congressional inquiries are conducted, ostensibly, to obtain information for use in drafting corrective legislation, and the executive department has a duty to provide it, without inforcing rules and regulations that tend to make its officials "squealers" if they feel their higher loyalty rests with the Nation rather than with the bureaucracy.

President Eisenhower evidently thought he had solved the issue when he accepted *responsibility for* approving the furnishing, or refusing to furnish, sensitive data to Congress, a step in which President Kennedy has concurred. But once again, in the Otepka case, the so-called foolproof solution has been punctured.

There obviously are some areas in which the national security is involved and which it would not be justifiable to publicize. We have enough confidence in the patriotic commonsense of most Members of Congress to believe they would recognize such areas and refrain from invading them. On the other hand, the executive departments, and especially the State Department, are inordinately jealous of guarding "secrets" that may be general property.

The methods apparently used to "get" Otepka are reprehensible, spying on his mail, tapping his telephone, locking his files away from him and similar tactics that smack more of college sophomores than responsible officials to whom our national policy enforcement is entrusted.

In any case, the sooner the Otepka case is cleared, the better everything will be for a while until another official decides to let the Congress "seduce" him.

[From the Sacramento (Calif.) Union, Nov. 18, 1963]

OTEPKA'S "REPREHENSIBLE" OUSTER

Because Otto F. Otepka, veteran career officer, was dedicated to national security and believed Congress ought to know of security failures, the State Department fired him yesterday.

Specifically, he was discharged for giving confidential information to a Senate subcommittee, conduct described as unbecoming an officer of the Department of State.

The confidential information involved data on wretchedly bad advice by official State counselors which contributed to the Government's failure to realize in time that Fidel Castro was a plain Cuban Red.

Is it conduct unbecoming an officer to reveal facts, involving among others William Wieland, a top-ranking State official, and the ill informed, stupid recommendations they made in sugaring over or disclaiming Castro's communism?

Are we to believe it more becoming in the chief security evluation officer of the State Department to hide the shells of grave errors and incompetence?

Congressman H. R. GROSS, of Iowa, called Mr. Otepka's ouster "most reprehensible." He declared the State officer was fired for providing a committee of Congress with information necessary to show that "other officials of Government were not telling the truth."

Acting Chairman DODD of the Senate subcommittee previously stated discharge of Mr. Otepka would be "a great tragedy," indicating State Department is more interested in prosecuting employees who want to clean up the Department than employees accused of practices injurious to national security.

The dismissal of Mr. Otepka, a conscientious and courageous State Department official, is indeed reprehensible. He simply didn't want sleazy security methods in sensitive areas and is convinced, as we are, that far too many dubious characters are ensconced in the Department's advisory echelon.

As to the charge made against him of giving classified information to Congress—that holds about as much water as a cheesecloth sieve.

There is a long tradition that the executive department can withhold some documents from the Senate. This, we submit, cannot govern when the security of the country is at issue.

Congress has a right to make security laws. It cannot possibly do so if it doesn't accurately know the needs.

The Otepka case is not finished. It should be appealed, to the courts if necessary.

What irony to punish him for baring State Department security errors and do nothing about the men who were miserably taken in by the Castro flimflam.

[From the Missoula (Mont.) Missoulian, Nov. 15, 1963]

VERSIONS DIFFER ON OTEPKA'S DIFFICULTY

In 1942, Otto F. Otepka became a wartime security officer for the Civil Service Commission. He was recruited a year later by the late Scott McLeod, a zealous investigator of security risks, as his chief evaluator of security clearance at the State Department. Now he has been dismissed from his $16,900 a year job, and a State Department spokesman says Otepka is "out of step with the times. We are not witch hunting any more. We have no security risks, and he knows it."

However, that is not quite the way Senator THOMAS J. DODD, Democrat, of Connecticut, sees it. As vice chairman of the Senate Internal Security Subcomittee, DODD says that Otepka was fired because he "testified honestly before the panel on matters relating to security in the Department of State." The dismissal was on 13 charges of giving confidential documents to the committee, and furnishing questions to be asked Otepka's superiors.

The case emphasizes the difficulty Congress has in getting information on disloyalty, malfeasance, conflict of interest, or other wrongdoing in the executive branch of the Government.

Otepka is, of course, entitled to a State Department hearing on the charges. Should the decision be against him, he is entitled to appeal to the President and to the courts.

Should the dismissal be upheld, personnel of the executive branch of the Government undoubtedly will be more reserved in the future in answering questions of congressional investigators.

[From the Green Bay (Wis.) Press-Gazette, Nov. 19, 1963]

HONEST TESTIMONY IN WASHINGTON

Otto F. Otepka, Chief of Valuations in the Security Office of the State Department, was dismissed from the service early this month on charges of conduct unbecoming a State Department officer.

Senator THOMAS J. DODD, Democrat, of Connecticut, took the floor of the Senate to declare Otepka's sole offense was that he had "testified honestly" before the Senate Internal Security Subcommittee about security in the State Department.

Many Senators have been upset over Otepka's dismissal, claiming that if this action should stand, the Senate would thereafter be in a poor position to get honest testimony from any Government employee. Recently, however, three State Department officials have written to the Internal Security Subcommittee asking to change the testimony they gave at a secret subcommittee meeting last July. Their testimony at that time was that they had no knowledge of an attempt to tap Otepka's telephone. All swore they knew nothing of such an attempt.

The officials named as testifying were John F. Reilly, Deputy Assistant Secretary for Security; David I. Belisle, special assistant to Reilly, and Elmer D. Hill, Chief of the Division of Technical Services, Office of Security.

Upon receiving the letters the subcommittee without comment released both the sworn testimony of the three officials and their letters. News reports indicate that the testimony revealed repeated denials that Otepka's phone had been tapped. All three said they had no knowledge whatever of such an attempt.

However, the clarifying letters told a different story. Summarized in news reports the story is that Reilly became suspicious that Otepka might be privately furnishing information to J. Sourwine, chief counsel of the subcommittee. He and his assistant, Belisle, discussed a variety of investigative techniques which might be used to determine whether their suspicions were correct. On March 18, Mr. Reilly asked Hill to "undertake a survey of the feasibility of intercepting conversations in Otepka's office." Hill and Clarence J. Schneider, chief of the technical operations branch, altered the wiring in the telephone in Otepka's office and established a circuit from Otepka's office to the Division of Technical Services laboratory by making additional connections in the existing telephone system wiring.

They declared they were not trying to monitor Otepka's telephone but overhear conversations in his office. Later the telephone system was disconnected as Reilly reported he had found information he was looking for from the examination of Otepka's classified trash basket.

Senator DODD's comment was that "although the State Department official has denied under oath that this was done, the subcommittee has proof that the tap was installed.

"The State Department official who told the untruth is the man who ought to be dismissed. The only man dismissed thus far is the man who told the truth."

Secretary of State Dean Rusk, who is reviewing the Otepka appeal from the dismissal order, should set this matter straight.

[From the Memphis, (Tenn.) Commercial Appeal, Nov. 20, 1963]

NO "BIG BROTHERS"

Otto F. Otepka, a longtime State Department security officer who won particular praise during the tenure of the late Secretary of State John Foster Dulles, fell from favor in the hierarchy headed by Secretary Dean Rusk. He was fired under accusation of leaking information to the Senate Internal Security Subcommittee.

As a result of the ensuing furor, two other State Department security officers were relieved of duty, and subsequently they have resigned. These men, John F. Reilly and Elmer D. Hill, testified under oath before the Internal Security Subcommittee in July and August that they never had bugged the office or telephone of Mr. Otepka or taken papers from his "classified trash." Later they were forced to admit there had been tampering with the Otepka phone and other clandestine efforts to undermine the security conscious official.

The case seemed to raise the issue of whether loyalty to the present high command of the State Department was to be ranked higher than loyalty to country.

Powerful Senators have sided with Mr. Otepka, and their efforts have revealed the shocking interdepartmental ax wielding that made of Otepka a crucificial object.

The resignation of Mr. Reilly and Mr. Hill, who admitted they had not told the Senate Internal Security the full truth, puts the State Department, and the Kennedy admin-

istration, on notice that such tactics are not to be condoned by Congress or the public.

It is highly fortunate that this move toward the "big brother" attitude of a totalitarian state has been thwarted in the glare of publicity.

[From the Springfield (Ill.) State Journal, Nov. 22, 1963]

OTEPKA INCIDENT: LOOSENING OF SECURITY

For the life of us we can't understand the reason for the continual dispute between the executive branch of the government and the Congress over matters of security involving U.S. personnel.

Aren't we all for rooting the untrustworthy out of sensitive spots and exposing traitors and spies?

But we read of State Department employees attempting to "bug" the telephone of a security chief of their own branch and quarreling with the Senate Internal Security Subcommittee over confidential information about employees.

Ever since the Kennedy administration has come into office there has been a general loosening of security regulations within governmental departments, and a growing tendency to resent and resist efforts of congressional committees to find out what is going on and why.

The administration continually seeks to hide behind the so-called executive privilege.

The latest incident was dismissal of Otto Otepka, the State Department security officer who was fired for allegedly giving classified information to a Senate committee, and the subsequent suspension of two department employees for giving conflicting evidence on whether they had sought to "listen in" on Mr. Otepka's telephone conversations.

Mr. Otepka's crime is that in testifying before the Senate Internal Security Subcommittee on Loyalty Matters, supposedly as required under civil service legislation, he gave some information he should have kept secret.

This seems an odd way to waste the energies of Government when, as a Navy flag officer pointed out at a recent conference of top defense industry management officials meeting in Pomona, it is obvious the Communists are intensifying their efforts to steal the secrets of the United States.

The admiral's remarks were not in relation to the Washington controversy but in regard to industrial security on the part of management in a time when we "are target No. 1 for all others who are seeking to improve their political, economic, and military position."

In his annual report for the 1963 fiscal year, J. Edgar Hoover, Director of the Federal Bureau of Investigation, warned that the Communist Party in the United States, despite all the legal actions taken against it as a result of FBI investigations, is continuing its untiring efforts to advance the cause of world communism, but again has shifted its tactics.

Its major aim now, the Bureau's report says, "is to convey the impression that Communists are loyal citizens of the United States who merely hold political views which differ from those currently prevailing. They deny any direction from abroad and allege they are seeking change only through legal means."

Thus, under that guise, Communists have been able to invade our campuses and increase their contacts within Government as well as industry.

Instead of fighting each other, the congressional committees and the executive branch had better set about fighting the Communist conspiracy. There should be no secrets from each other regarding loyalties.

[From the Augusta (Ga.) Herald, Nov. 15, 1963]

AFFRONT TO DEMOCRACY ITSELF

If America ever has a dictator, he will not ride into office at the head of a revolutionary parade, preceded by a military coup and followed by a goosestepping private army.

He will assume dictatorial powers little by little: Through reduction of powers of the States, transfer of decisionmaking from the Congress to the White House, intrusion of Government into all areas of the economy, and grabbing of legislative reins from State legislatures and from the Congress by an Executive-appointed U.S. Supreme Court—all heralded as social progress.

He will be assisted by departments and bureaus which insist increasingly on rendering allegiance only to the would-be dictator, and not to the voters:

The United States, we Americans always have maintained, comes closest among the world's governments to being a government by the people. Yet in recent years—so many citizens maintain—some of these trends which have been listed as the preliminary steps to a dictatorship have been greatly accelerated.

The latest example of action designed to saddle this Nation eventually with a totalitarian system is in the State Department. This is the Department which in past years has been shown to be a haven for security risks, and which is in a position, because of its field of activity, to compromise the Nation's safety should it employ persons sympathetic to communistic regimes, or who are careless of security. An example of the dangers is apparent in our Nation's complacency while a Communist took control in Cuba.

A clear demonstration that the State Department scorns the people as a source of its authority came recently with the firing of a Department security official, Otto F. Otepka, because he answered questions of the Senate Internal Security Subcommittee. Other Department officials, in order to prove the guilt of Otepka in acknowledging allegiance to the voters' representatives in the Congress, tapped Otepka's telephone and conducted searches of his wastebasket.

To compound the devious means by which they hoped to enforce statism, they lied to the subcommittee about their snooping and later admitted they lied.

U.S. Senator THOMAS DODD, of Connecticut, calls the State Department's contempt for the subcommittee an affront to the Senate. It is more than that. Since the Senate speaks for the voters who elect its Members, it is an affront to the voters and to democracy as a system of government.

We cannot afford a system of bureaucracy operated along the line of their counterparts in the Kremlin. The most thorough investigation, and the strongest possible action, should be taken in the Otepka case.

[From the Monroe (Mich.) News, Nov. 18, 1963]

STRANGE FEDERAL GOINGS-ON

There was considerable consternation when a Federal official voiced the policy that it was our Government's right—if not obligation—to lie to preserve its position. This philosophy of a new era in Government shocked many an observer. Many, however, just put it down as an imprudent remark that was made off the cuff and had no basis in fact as a method of Federal operations.

But an increasing—and disturbing—number of revelations has been made that gives some credence to the opinion that there are those in Washington who do indeed believe it is all right to lie in order to keep opposition and criticism to a low level.

Take, for example, the case of the Reverend Martin Luther King who, it was charged, was driven around Alabama in transportation supplied by the U.S. Government. During October, when civil rights unrest was at a razorsharp edge, Governor Wallace of Alabama charged that the Justice Department was paying for Reverend King's excursions in Alabama stirring up further unrest. In response, the Justice Department said Governor Wallace's charge was "either a gross mistake or a deliberate attempt to mislead the people." Earlier this month, on the eve of a Dallas (Ala.), County grand jury inquiry, the Justice Department retracted its earlier statement and admitted that a Department lawyer had lent a Government-rented car to a person who drove Reverend King around in it. The Department said Governor Wallace had been correct.

Then there is the case of Otto Otepka, fired State Department security employe. During Senate Internal Security subcommittee hearings Otepka made a number of statements regarding State Department handling of persons alleged to be security risks taken into the Department. Otepka said that Department efforts to humiliate and embarrass him included wiretapping of his office telephone. He named those who he believed to have done the wiretapping. The subcommittee quizzed the three who are supposed to have done the wiretapping. The three vigorously denied the charge. On November 9 the State Department said that two of three later admitted that they lied during the subcommittee hearings and that they had, in fact, attempted to eavesdrop on Otepka's telephone.

These aren't the only two cases of Federal bureaucratic deliberate lying. Others have been revealed. It is this trend that disturbs so many citizens. To be effective a government has to be believed.

[From the Washington (Pa.) Observer, Nov. 13, 1963]

INFORMATION CHALLENGE

In 1942, Otto F. Otepka became a wartime security officer for the Civil Service Commission. He was recruited a year later by the late Scott McLeod, a zealous investigator of security risks, as his chief evaluator of security clearance at the State Department. Dismissed from his $16,900 a year job, a State Department spokesman said Otepka is "out of step with the times. We are not witch hunting any more. We have no security risks, and he knows it."

However, that is not quite the way Senator THOMAS J. DODD, Connecticut Democrat, sees it. As vice chairman of the subcommittee, DODD says that Otepka was fired because he "testified honestly before the panel on matters relating to security in the Department of State." The dismissal was on 13 charges of giving confidential documents to the committee and furnishing questions to be asked Otepka's superiors.

The case emphasizes the difficulty Congress has in getting information on disloyalty, malfeasance, conflict of interest, or other wrongdoing in the executive branch. If upheld—Otepka can appeal to the President and the courts if his departmental trial goes against him—it would discourage others from testifying honestly.

[From the Pine Bluff (Ark.) Commercial, Nov. 19, 1963]

THE OTEPKA CASE

The Otepka case is complex enough, certainly, but the heart of the controversy in the case seems to us as simple as it is fundamental.

The basic question posed is whether any Federal employee has the right to disclose information which he holds in trust. Mr. Otepka is alleged by his defenders to have violated State Department regulations in pursuit of a transcendent loyalty to his country. But this defense won't wash.

Fundamental to effective security procedures is that no leakage of classified material can be sanctioned—whether the leakage is to the Soviet Embassy or a Senate committee.

Of many objections to the higher loyalty doctrine which can be voiced, the most important is perhaps that the resolution of security problems cannot be left to the individuals directly affected. Mr. Otepka felt impelled by conscience to give confidential information to people not authorized to receive it. Mr. Otepka felt that agents of the U.S. Senate should be the recipients of his confidence. His good judgment in the selection of confidants ought perhaps to be congratulated but we don't see how an exception can be made for those who betray a public trust only with the best people. The next executive employee may feel as strongly impelled by his conscience to give information to the Order of Hibernians, or the Interior Department, or the Ambassador of the United Arab Republic. It should not be forgotten that the real security problems during and just after World War II were with a few people who felt that they were helping the war effort or the establishment of a peaceful world by passing information to our allies, the Russians.

[From the Lewistown (Pa.) Sentinel, Nov. 15, 1963]

OTEPKA REPERCUSSIONS

The firing of Otto Otepka raises a stench in the State Department. Though Otepka has been ejected from his job as a Department security officer, the last has not been heard of his case.

Otepka has the right of appeal, and the Senate Internal Security Subcommittee is showing a great deal of interest in how and why his dismissal came about.

Facts behind the case are strange. Otepka was charged with 13 violations of regulations, but most if not all of these were technicalities. His real "crime," in the eyes of top State Department officials, was his cooperation with the Senate subcommittee in its investigation of alleged laxity in security in the Department.

Moreover, the State Department apparently resorted to illegal wiretapping in its effort to "get" Otepka. Senator THOMAS DODD, vice chairman of the subcommittee, said his group has proof that Otepka's phone was tapped. State Department officials first denied, then admitted, that at least an attempt was made to do so.

DODD also reported that Otepka was locked out of his office, was denied access to his files which were rifled, and was humiliated before his fellow employees.

But the heart of the issue is whether a Federal employee should be harassed and fired for talking to a committee of Congress. The subcommittee had a right to the information it wanted.

Otepka has been dismissed for telling the truth—his right under the U.S. Civil Service Code which states that such "shall not be denied nor interfered with." He has been the victim of illegal tactics—wiretapping. The Senate committee should pursue the scent.

[From the Indianapolis (Ind.) News, Nov. 18, 1963]

OTEPKA OUSTER FORTHRIGHT STEP

The State Department acted forthrightly and courageously in firing Otto Otepka, its former Chief Security Risk Evaluator, on charges of unbecoming conduct. If the State Department accusations are factual, Otepka is himself a security risk and should not hold a sensitive post. If Otepka thinks they are not, he has ample avenues of appeal.

Otepka, who has been under suspension since September 23, was charged with declassifying and mutilating certain documents and with having prepared questions for the counsel of the Senate Internal Security Subcommittee to ask State Department witnesses. He denied violating the spirit of the departmental regulations. The subcommittee was then investigating State Department attitudes toward Fidel Castro in the period of Castro's rise to power.

The subcommittee, through its vice chairman, Senator THOMAS DODD, Democrat, of Connecticut, strongly supported Otepka, contending that violations, if they occurred, were "technical." They seemed to us, and obviously to the State Department, to be anything but that. And they must have seemed substantive to the White House—President Kennedy promised on October 9 to examine the matter himself when the time came for disciplinary action.

There is more involved here than the activities of Otepka. The question, and it is not a new one, is whether congressional witch hunters are to be allowed to reach down to minor officials in the executive branch and use them to promote their own causes. It is not a question of getting information; that could properly have been obtained through legitimate channels.

A decade ago the State Department knuckled under to Senator Joseph McCarthy on the same issue as the one presented in the Otepka case. We congratulate the Kennedy administration for putting the Senate inquisitors in their place.

[From the Cincinnati (Ohio) Enquirer, Nov. 14, 1963]

THE OTEPKA PLOT THICKENS

Were it not for the vigorous protest lodged by the Senate Judiciary Committee and its Internal Security Subcommittee, Otto F. Otepka would very probably have been driven from Government service in disgrace, and the American people would have known nothing of the circumstances of his humiliation.

Now, however, the State Department, which Mr. Otepka served as Deputy Director of the Office of Security, has granted what is known as administrative leave to two other Department officials directly involved in the Otepka case.

The two officials testified under oath before the Senate Internal Security Subcommittee that they had not installed a tap on Mr. Otepka's telephone while he was still serving as a security evaluator in the State Department. Subsequently, when the committee made it clear that it had evidence to the contrary, they asked permission to amend their testimony.

Hence, pending further inquiry into the question, the State Department has granted them administrative leave.

In this circumstance, alone, there is enormous irony.

Mr. Otepka's grave crime, in the State Department's eyes, is that he testified truthfully before a Senate committee. For this offense, his telephone was tapped, his wastebasket was pilfered, he was locked out of his office, and denied access to his files. His humiliation, in brief, was as ostentatious and complete as the State Department could make it.

The two others in the case, however, who apparently have confessed to lying to a Senate committee, are simply put on administrative leave, drawing their full salaries and knowing nothing of the opprobrium heaped upon Mr. Otepka.

The overriding significance of the entire Otepka case, we believe, is the widespread assumption in official Washington that the threat of Communist infiltration into sensitive area of the U.S. Government is nonexistent.

This conviction, in turn, stems from the article of faith, altogether too widely held in the so-called liberal community, that McCarthyism was a far more loathesome chapter in American history than Hissism or Harry Dexter Whiteism.

There was a time, curiously, when Mr. Kennedy had the courage to speak up against what he called "the Lattimores and the Fairbanks" whose State Department machinations resulted in the loss of China to the free world. But the realism of that, John F. Kennedy seems to be something today's John F. Kennedy is trying to live down.

And the Nation is the loser.

[From the Spokane (Wash.) Spokesman-Review, Nov. 20, 1963]

STATE DEPARTMENT COY OVER OTEPKA

Two officials of the State Department, who first denied and then acknowledged covert efforts to undermine Otto F. Otepka, have now resigned under fire.

Mr. Otepka is the former head of the Evaluation Division of the State Department Security Office. He was fired early this month after a long period of harassment. His major crime which was termed "conduct unbecoming an officer of the State Department" was to pass along to the Senate Internal Security Subcommittee some information which some of his superiors and associates considered confidential.

The loyalty of Mr. Otepka has never been in question. But there now has arisen some question of the loyalties of other State Department personnel who did not like U.S. Senators probing into State Department operations, especially those dealing with the Castro Communists in Cuba.

The Otepka case presents only one aspect of the "mess in Washington" under the present administration. The State Department has been exceedingly coy about the Otepka case because it deals with the very heart of the conduct of American foreign policy.

State Department officials have spent considerable time in the last 3 years in the briefing of selected citizens and so-called opinionmakers—briefing them in the points of view considered acceptable to the American people. But State Department officials have been less than candid in revealing some of the matters that Mr. Otepka thought essential for our national lawmakers to know.

The deception which the two recently resigned officials had practiced before the Senate committee does not speak well for the quality of intellectual honesty which the public has a right to expect. The fact that these two men have quit under fire should stimulate a thorough senatorial check into why and how our foreign policy operations have been conducted with respect to our relations with the international Communist conspiracy.

[From the Savannah (Ga.) News, Nov. 20, 1963]

IS LOYALTY A MISTAKE?

The State Department has dispensed with the services of two officials who lied to a congressional committee about their improper conduct in the Otepka case.

The Department's action was appropriate, but it doesn't clear up all the questions the firing of Otto Otepka has raised. Mr. Otepka's long and faithful service as a security officer is a matter of record, and his dismissal still carries a heavy stench of foul play.

Mr. Otepka's only crime was cooperation with Congress and concern about the Nation's security. If he violated department technicalities, as his critics charge, his transgression hardly equaled those of his persecutors.

The defense being offered for the State Department—that its hirings and firings are not any business of Congress—is no defense

at all. The national security is a valid concern for Congress and for the public and so are the credentials of those who serve in key positions. The apparently unjustified dismissal of a loyal and efficient public servant is the business of Congress.

Mr. Otepka appears to be the victim of a vendetta within the State Department. It is ironic that the Department's defenders are those who complain about "witch hunts," and in some cases, those who have helped to shield persons guilty of graver mistakes—if you want to call Mr. Otepka's loyalty that.

[From the New Orleans (La.) Times-Picayune, Nov. 19, 1963]

NO TRADE

The resignation of two high officials in the Security Division of the State Department who figured in the recent dismissal therefrom of Otto F. Otepka, may strike some as a sort of poetic justice trade off.

The immediate cause of the resignations has to do either with belated admission of using or trying to use a wiretap or "listening-bug" in early stages of a checkup on Mr. Otepka; or with early denial or disclaimer of this attempt; or with both.

But behind this development are some other matters involving officials in the Department and Mr. Otepka which still keep alive the question of whether he was justly treated from the inception, and particularly with respect to the main gravamen of the charges against him—the disclosure of nominally "classified" documents, etc.

The Senate Judiciary Committee is very disturbed about the handling of the Otepka affair by the State Department. Leaving aside the matter of congressional-executive relations, the picture that has been drawn, and so far not contradicted, is that of a zealous security officer whose very zeal got him into hot water; of an officer whose only real recourse to protect himself in a situation of conflict in sworn committee testimony was to effect declassification, borderline or otherwise, of certain material. Until these points are cleared up, it cannot be assumed that anything less than reinstatement of Mr. Otepka, apart from resignations made or perhaps pending, will serve justice in his case.

[From the Terre Haute (Ind.) Star, Nov. 20, 1963]

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Moreover, the State Department apparently resorted to illegal wiretapping in its effort to "get" Otepka. Senator THOMAS DODD, vice chairman of the subcommittee, said his group has proof that Otepka's phone was tapped. State Department officials first denied, then admitted, that at least an attempt was made to do so.

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Otepka has been dismissed for telling the truth—his right under the United States Civil Service Code which states that such "shall not be denied nor interfered with." He has been the victim of illegal tactics—wiretapping. The Senate committee should pursue the scent.

[From the Knoxville (Tenn.) Journal, Nov. 11, 1963]

WRONG PERSON DISCHARGED

Reference has previously been made here to the dismissal of Otto Otepka, a senior security officer of the State Department, because he gave to members of the Senate Judiciary Committee information concerning irregularities and probable illegalities affecting the security of the United States.

On Tuesday, Senator THOMAS H. DODD, Democrat, of Connecticut, asserted that "the dismissal of Mr. Otepka by the Department of State is a serious challenge to responsible government and to the system of checks and balances on which it is based."

Those American citizens who have tried to keep conversant with the sprawling Department of State since the era of Alger Hiss first brought its security weaknesses into the limelight will suspect there is a good deal more to the firing of this employee than the public yet knows about. After Senator DODD made his speech three State Department officials "came clean" with the Senate committee, admitting that the telephone wiring in Otepka's office was rigged with the purpose of monitoring his conversations with counsel for the Senate body.

The statements of the three State Department employees were volunteered to the committee after Senator DODD had said in a Senate speech that "although a State Department official has denied under oath that this (a phone tap) was done, the Subcommittee on Internal Security has proof that the tap was installed." The three statements agreed that the tap had not actually been used for two reasons. One of these was that it did not work. The second was that a careful scrutiny of Otepka's wastebasket gave his superiors in the State Department the information which they apparently sought.

On the face of it, it looks as if for a few days there was a little perjury involved here where these three State Department officials, who presumably engineered Otepka's firing, were concerned.

Most of us will side with Senator DODD, it is believed, when he said: "An employee of the State Department came to our subcommittee and, under oath, said that the telephone had not been tapped—which was an untruth. This is the man who ought to be subject to charges. When an employee of the Government comes before a congressional committee and either makes willful misstatements or tells untruths under oath, I believe dismissal charges should be preferred against him. But up to the present hour, the man who has been dismissed is the man who told the truth, and so far as I know, the man who told the untruth has not been moved against."

Doesn't the Senator from Connecticut remember where he is—right in the middle of the Kennedy administration's "managed news" operation?

[From the Montgomery (Ala.) Advertiser, Nov. 13 1963]

A SLIGHT CASE OF LYING

Judgment on Otto F. Otepka, the State Department security officer fired last week, will have to be reserved until more evidence and testimony are released to the public. But already the State Department has smudged its case by admittedly lying to the Senate subcommittee that was hearing Otepka.

Last summer, the committee asked John F. Reilly, Otepka's boss, whether any listening devices had been installed in Otepka's office. Reilly's answer: "No, sir."

The committee asked the same of Dewey Hill, another security chief, "No, sir."

This was sworn testimony. After Otepka was fired, Senator DODD said the committee had clear evidence that a listening device was installed in Otepka's office in the hope of catching him passing information to the committee.

After this, Hill and Reilly sent letters to the committee admitting they tried to install a listening device.

Their explanations leave something to be desired. Reilly said he ordered the tap to see if it could be done "without undue risk of detection." Hill said he made the tap and took it out after 2 days because he couldn't hear anything. Neither of them sought to defend what he did.

One other salient factor is that the State Department keeps saying that Otepka violated an Executive order in passing classified information to the Senate committee. It has not come to grips with his testimony that there are weaknesses in the security system.

On the other hand, the two State Department officials have admitted one lie in their testimony.

[From the Lincoln (Nebr.) Journal, Nov. 12, 1963]

SENSIBLE TURN IN OTEPKA CASE

A glimmer of sense finally is showing up in the topsy-turvy case of Otto Otepka, the State Department security officer dismissed for what his superiors regarded as giving information to the enemy—in this case, to Congress.

In one of the few understandable moves of the whole affair, the State Department has given "administrative leave" to two officials who "bugged" Otepka's telephone and then lied to the Senate about it. They now must stay away from their desks while their activities are examined.

At the same time, Otepka is set to file an appeal of his dismissal order.

It is established that the Senate Internal Security Subcommittee was not given the truth in earlier testimony by John F. Reilly, Deputy Assistant Secretary of State for Security, and his aide, Elmer D. Hill.

Last summer the two men, along with another Reilly assistant, denied before the subcommittee that they had tapped Otepka's phone in an attempt to gain evidence that Otepka was passing information to Members of Congress.

After it became apparent that the subcommittee had learned differently, the three admitted they had tapped Otepka's phone.

In an attempt to excuse their action, they contended that the device was never used and was removed after 48 hours. But the only reason it was removed, it now develops, was that they found the evidence they wanted in Otepka's "burn bag," a depository for confidential material.

All this bolsters the demand of Nebraska Senator ROMAN HRUSKA, a member of the Internal Security Subcommittee, that the men who lied to the subcommittee should be fired, "at a minimum."

The separate, and even graver, issue still centers about Otepka himself. If his dismissal is upheld, no employee of the Federal administration ever would be free to enlist the aid of Congress, even if he were convinced that his superiors were giving jobs to security risks, as was the case with Otepka.

This would be a highly dangerous situation and surely one not sanctioned by any appreciable portion of the U.S. public.

[From the Phoenix (Ariz.) Republic, Nov. 15, 1963]

CONDONING A WITCH HUNT

If it had been discovered that officials of congressional committees investigating Communist influence in the Government had attached an electronic eavesdropping device to the telephone of a loyal U.S. employee, the Nation's newspapers, radio, and television networks would be up in arms.

Yet although two State Department officials recently admitted that they attached just such a device to the telephone of Otto F. Otepka, former Chief Security Evaluation Officer of the State Department, there has been little or no protest from the Nation's most conspicuous opinion moulders.

The reason for the silence—even though the pair, in secret sworn testimony to the Senate Internal Security Subcommittee, previously denied knowledge of the installation of a listening device in Otepka's office—is that the investigators were not checking on Otepka's loyalty to the United States. They were looking for a way to get rid of Otepka because of his testimony before a congressional committee in which he furnished information about lax security procedures in the State Department.

Therefore, those who cry loudest about congressional "witch hunts" now find themselves in the position—because of their failure to protest the illegal harassment of Otto Otepka—of condoning a witch hunt carried out by high State Department officials.

As Senator THOMAS DODD commented, the State Department should prefer charges against its own gumshoers, rather than against Otepka.

[From the Richmond (Va.) News Leader, Nov. 13, 1963]

IT'S CLARIFYING, ALL RIGHT

An official printed transcript has just come to hand of the testimony given under oath before the Senate Internal Security Subcommittee by John F. Reilly, Deputy Assistant Secretary of State for Security, and Elmer D. Hill, head of the Division of Technical Services in Mr. Reilly's office.

The two men are now under what is euphemistically termed "administrative leave." This means that the taxpayers continue to pay their salary though the pair do no work, pending a departmental investigation of their conduct in the Otepka case. The immediate question is whether the two men committed perjury in testifying before the committee last summer, during the course of an investigation into the dismissal of Otto Otepka, veteran State Department security officer.

The following questions and answers are reported as to Mr. Hill on July 9:

Mr. SOURWINE (committee counsel). Do you know of any instance where a listening device has been placed in an employee's office?

"Mr. HILL. Not to my knowledge.

"Mr. SOURWINE. Specifically, did you ever have anything to do with tapping the telephone of Mr. Otepka?

"Mr. HILL. No sir."

On November 6, nearly 4 full months after he so testified, Mr. Reilly wrote a letter to Senator EASTLAND, committee chairman. It should be noted that the committee's staff had been busily investigating various angles of the Otepka case throughout this period. Now, in November, Mr. Hill reached an interesting conclusion: He concluded that mention of an incident which occurred last March "would serve to clarify my responses to Mr. Sourwine's questions." In his letter of clarification, Mr. Hill says this:

"On Monday, March 18, 1963, Mr. John F. Reilly * * * asked me to explore the possibility of arranging some way to eavesdrop on conversations taking place in Mr. Otepka's office. That evening Mr. Clarence J. Schneider and I altered the existing wiring in the telephone in Mr. Otepka's office."

Mr. Reilly had testified under oath on August 6. At that time, this colloquy took place:

"Mr. SOURWINE. Have you ever engaged in or ordered the bugging or tapping or otherwise compromising telephones or private conversations in the office of an employee of the State Department?

"Mr. REILLY. No, sir.

"Mr. SOURWINE. You never did?

"Mr. REILLY. That is right, sir.

"Mr. SOURWINE. Specifically in the case of Mr. Otepka you did not do so?

"Mr. REILLY. That is correct, sir.

On November 6, precisely 3 months later, Mr. Reilly also was struck with second thoughts. Now he would like "to amplify my testimony." In a statement to Senator EASTLAND, he added this amplification:

"On March 18 * * * I asked Mr. Elmer D. Hill * * * to undertake a survey of the feasibility of intercepting conversations in Mr. Otepka's office. On March 19, Mr. Hill told me that he and Mr. Schneider * * * had conducted a feasibility survey by connecting spare telephone wires from the telephone in Mr. Otepka's office to the Division of Technical Services laboratory."

When the wretched John Profumo was caught lying in the House of Commons last spring, in the midst of the Keeler case, there was never the slightest question of his instant resignation from the British Government. He was o-u-t. Here we seem to view questions of honor rather differently. The strangest aspect of this whole Otepka case, so far, is that Messrs. Hill and Reilly are still on the payroll, and Otto Otepka, whose only sin was to assist the U.S. Senate, is the only one fired. If the U.S. Senate does not force a showdown in the Hill-Reilly case, the U.S. Senate will have degenerated into a far feebler body than the powerful institution we believe it to be.

[From the San Antonio (Tex.) News, Nov. 12, 1963]

LEAKY MEMORIES IN TOO-HIGH PLACES

The public is permitted a brief glimpse into the inner workings of the State Department as a result of dismissal of Otto F. Otepka, veteran department security officer.

He was fired on charges of unbecoming conduct, with the principal accusation being he supplied confidential employee loyalty information to the U.S. Senate Internal Security Subcommittee.

In the course of the Senate panel's investigation, department authorities disclaimed any knowledge of a listening device having been placed on Otepka's telephone. Under the baleful eye of Senate investigators, the officials refreshed their memories later and decided such a device had been employed, but that it didn't work well.

The bold loss of memory under oath by highly placed members of the executive branch of Government should not be condoned by the Senate subcommittee. Strong effort should be made to punish the uncooperative witnesses and to bar them from responsible positions.

An extensive investigation of the Otepka incident should be conducted to see what further cloak-and-dagger revelations are forthcoming. The firing of the department security officer suggests—as only one possibility—that security risks in the Department scored a victory.

Or, if the dismissal stemmed from intradepartmental politics, the public and the Senate internal security panel are entitled to know, with full, truthful answers to the original questions.

[From the Vicksburg (Miss.) Post, Nov. 17, 1963]

ANOTHER TYPE OF FOREIGN AID

While the debate goes on in the Senate on the foreign aid bill, the one which involves an outlay of money, there is another type of foreign aid which has been disclosed in a report issued by the Senate Internal Security Subcommittee of which Senator JAMES O. EASTLAND is chairman. It involves the rapid strides which Russia is making toward the expansion of her maritime fleet, and also displays the deterioration of our own strength in that area. While we have been so busy bolstering up foreign nations, our own lifeline, our merchant shipping, has been allowed to steadily decrease. The figures of the committee are somewhat alarming, and they should be a matter of deep concern to the Congress and to the administration.

According to the report, in 1950, the Russians had a total of 432 merchant ships, which represented 1,797,000 deadweight tons. At that time the United States had 1,090 ships, 13,440,000 tons. This was a ratio of 2½ to 1 in our favor in the number of ships and a 7 to 1 advantage in deadweight. By 1962 this advantage had been filtered down, and by December 31, 1962, Russia had 1,002 ships as compared to 843 of the United States.

[From the Pittsburgh (Pa.) Press, Nov. 13, 1963]

DISCORD AT STAKE

It sounds like a pretty mess at the State Department with one official fired for slipping unauthorized information to Congress and three others charged with snooping on the first man, then denying it to a committee of Congress.

Otto F. Otepka, former Department security risk evaluator, provides the affair with its name—the Otepka case. His dismissal was based, among other things, on the charge he gave a senatorial committee confidential information from security files so touchy it is supposed to be released only with the personal approval of the President.

He has a right to appeal but if the charges stand up he clearly was insubordinate and ought to stay fired.

Senators defending him, including such powerful figures as DODD, of Connecticut, and EASTLAND, of Mississippi, consider the case a test of the powers of Congress as opposed to the executive powers of the President. This recurring conflict provides the case with added drama.

Senator DODD demands that, instead of firing Mr. Otepka, the Department get rid of three other officials, at least two of whom denied to a Senate subcommittee they had installed a listening device in Mr. Otepka's office, then later admitted it. These charges are under investigation. These men, it seems to us, also have placed their jobs in grave jeopardy, if not for spying on Mr. Otepka, then for misleading the Senators.

But all question of degrees of guilt aside, the incident lifts the curtain on a nasty internal condition at State which is highly disturbing.

This is the Department which works in a thousand ways to uphold the dignity of the United States around the world, and to keep us out of war. Whether speaking to Congress or to Khrushchev the Department should speak one voice and that voice should be the voice of the Secretary of State.

If tenure imposed by civil service regulations prevents this and institutionalizes disharmony, then there is something badly wrong with civil service regulations. The security of the United States, upon which the smooth function of this Department measurably depends, is vastly more important than the right of an uncooperative Government employee to hold on to his job.

[From the Des Moines (Iowa) Register, Nov. 13, 1963]

UNTRUTHFUL TESTIMONY

Whatever the rights of executive privilege to withhold certain information from Congress—and every administration in recent years has been out of line in trying to conceal embarrassing situations by such claims—there can be no defense for giving false or deliberately misleading testimony to congressional investigators.

This is why the Kennedy administration now is faced with the problem what action to take against three State Department officials. The officials testified under oath before the Senate Internal Security Subcommittee that they had no knowledge of tapping the telephone wires of Otto F. Otepka, who was dismissed last week as chief security evaluations officer in the State Department.

The Senate committee had information about the wiretapping incident and made this public after the officials had testified. Two officials thereupon made additional statements to "amplify" and "clarify" their testimony. The amplification and clarification made it clear that their earlier testimony was deliberately misleading.

There have been no charges, or indications, that either the President or Secretary of State Dean Rusk had knowledge of the wiretapping or the falsification of testimony. They, of course, have the responsibility of disciplining the guilty individuals. Indications are that Rusk will ask for the resignation of at least two of the officials. One of them, John F. Reilly, Deputy Assistant Secretary of State for Security, now accepts full responsibility for the telephone tapping incident.

Reilly and his assistants wanted to fire Otepka because of disagreement about security policy and because Otepka was giving information to the Senate investigating committee. They claim Otepka was releasing confidential information.

Otepka may have been guilty of doing this, which would give the State Department cause to oust him. Whether the information he gave investigators was properly classified as confidential is a question that can't be answered at this time. This has a bearing on Otepka's conduct. He apparently takes the view, judging by his comments, that out of loyalty to his country, he felt impelled to give information to investigators, that the State Department was attempting to conceal. The investigation may throw more light on this phase of the case.

The Senate committee apparently thinks there has been laxity, or too much "softness," in security matters. It believes the Department isn't living up to the standards provided by law. Whether this view, which is also the view of Otepka, is correct or not, State Department officials have made serious errors in harassment of Otepka and in misleading a congressional committee. The State Department will be making equally serious errors if it does not give the investigators all information essential for the study and if it does not get rid of those employees who have misled the investigating committee.

[From the Abilene (Tex.) Reporter News, Nov. 12, 1963]

LYING IN HIGH PLACES HARMS CONFIDENCE IN GOVERNMENT

In Alabama, the Justice Department denied that one of its rented cars was loaned to the Rev. Martin Luther King and two others to drive from Birmingham to Selma.

Later, the Justice Department admitted that one of its attorneys did, in fact, loan such a car for that purpose. The Department said the attorney had since resigned.

Two Alabama grand juries, at Montgomery and Selma, are nevertheless investigating.

In Washington, three State Department officials denied under oath before a Senate subcommittee any knowledge that listening devices had been installed in the office of Otto F. Otepka. Otepka is a veteran State Department security officer who was fired, over protests of some Senators, on the charge that he supplied them with confidential information from employee loyalty files.

Late last week, the three State Department men sent statements to the Senate subcommittee admitting that they did know that listening devices had been installed in Otepka's office.

They said no actual interception of conversations had taken place, none was authorized, and the wiring on Otepka's phone was disconnected within 48 hours after a test of the reception showed it unworkable. It can be presumed that if the contraption had worked, it would have been used.

The moral to be drawn from these two incidents is obvious.

Senator THOMAS J. DODD, Democrat, of Connecticut, of the Senate Internal Security Subcommitee, draws it well. He said:

"This is a shocking matter. The [State] Department ought to move on this—and quickly. When three officials of the State Department admit, in effect, that they lied under oath to a Senate committee, every American and every Member of Congress ought to be concerned.

"These are the fellows the State Department should prefer charges against, not Otepka."

The Senate subcommittee should turn its information over to a Federal grand jury and press for perjury indictments against the trio.

We have come to the time when occurrences such as the ones cited here, while not everyday happenstances, are common enough that the confidence of the public in its Government is being eroded.

The State Department should, without any coaxing, move immediately to dismiss the three officials involved, and any of their superiors who might have had knowledge of their perjured Senate testimony. Anything less will leave serious doubts of integrity in the public mind.

[From the Austin (Tex.) Statesman, Nov. 13, 1963]

INFORMATION CHALLENGE

In 1942, Otto F. Otepka became a wartime security officer for the Civil Service Commission. He was recruited a year later by the late Scott McLeod, a zealous investigator of security risks, as his chief evaluator of security clearance at the State Department. Dismissed from his $16,900 a year job, a State Department spokesman said Otepka is "out of step with the time. We are not witch hunting any more. We have no security risks, and he knows it."

However, that is not quite the way Senator THOMAS J. DODD, Connecticut Democrat, sees it. As vice chairman of the Senate Internal Security Subcommittee, DODD says that Otepka was fired because he "testified honestly before the panel on matters relating to security in the Department of State." The dismissal was on 13 charges of giving confidential documents to the committee and furnishing questions to be asked Otepka's superiors.

The case emphasizes the difficulty Congress has in getting information on disloyalty, malfeasance, conflict of interest or other wrongdoing in the executive branch.

[From the Sioux City (Iowa) Journal, Nov. 14, 1963]

THE OTEPKA CASE

Otto F. Otepka, the security officer who was dismissed by the State Department for insubordination as a result of his giving to a congressional committee certain information the Department regarded as classified, must file his appeal from the Department decision this week if he intends to do it at all. There is every reason for his being encouraged to file somewhere in protest at what seems to have been a basically wrong decision.

If we understand the circumstances of the case accurately, Mr. Otepka furnished to a congressional group that is legally entitled to the information, certain facts about State Department security procedures. But long before that he was resented by some of the Department's personnel, apparently because of his relatively tough ideas that security measures should be tight instead of loose, and hard instead of soft. We gather the basic trouble in his case is that he refused to go along with watered down security measures that others in the Department, including his immediate superiors, desired to see in effect.

Considering the sad state of "security" in our own Government and that of Great Britain, as suggested by the headlines over recent months and years, the dismissed security officer is much more right than wrong. We hope he does appeal, and if the Department ruling continues against him, we hope he takes it on to the Civil Service Commission and to the courts. Apparently he was within his rights to do what he did, even though it was contrary to some of the Department's wishes. On that basis he should fight for the principle under which he acted, and on that basis he should have all the help he can get in that fight.

[From the Monroe (La.) News-Star, Nov. 13, 1963]

TAPS FOR WIRETAPPERS?

The case of Otto Otepka, recently discharged State Department security official, has received a certain amount of coverage in the wire service news releases if readers worked their way past the first four paragraphs. Now it appears more persons may become involved.

Otepka was finally told he was guilty of conduct "unbecoming" a diplomat because he gave information on the State Department's emergency security clearance policies to a Senate subcommittee.

At least part of the material used by the Department as a basis for firing Otepka was obtained through wiretapping. So now, the agency has placed two more officials on administrative leave for having given out the information that wiretapping was carried out.

Prior to his own discharge, Otepka was on such administrative leave for several weeks. Now, his former superior, Deputy Assistant Secretary of State John F. Reilly, and Chief of the Division of Technical Services in the Office of Security, Dewey Hill, will also go on administrative leave.

A State Department spokesman said the move making Reilly's and Hill's suspensions effective on Tuesday of this week was a result of a "complicated and potentially serious" matter.

But viewed from a distance, the dismissal of Otepka appears to have resulted from his telling the Senate Investigations Subcommittee that there were certain laxities in the emergency security clearance for State Department employees since 1961.

[From the Ansonia (Conn.) Sentinel, Nov. 15, 1963]

PERJURY?

Because he allegedly talked too freely to members of a U.S. Senate commitee, Otto F. Otepka, a highly valuable and experienced security officer of the State Department has been unceremoniously "fired."

A couple of witnesses from the State Department testified under oath before a committee of the Senate that Secretary Rusk's Department had not attached a wiretap to his

phone. The State Department now concedes that Otepka's phone had been tapped and that they knew it when they swore it had not been. Senator DODD has urged a full dress inquiry into this apparent perjury and the reasons for Otepka's firing. The State Department answered by sending a couple of Otepka's former associates on "administrative leave."

Well, why not a full dress inquiry to clear this thing up? Do representatives of the State Department enjoy a privilege of making deliberately untrue statements when *under oath?*

[From the Greensboro (N.C.) News, Nov. 16, 1963]

BIG BROTHER IN FOGGY BOTTOM

Last week, if the gentle reader will recall, Congress was celebrating "Otepka Day" when howls of anguish penetrated the environs of Congress because of the firing of a State Department official who had been leaking classified information to the Senate Internal Security Subcommittee.

This week Washington is observing "wiretapping day" as Otto Otepka's superiors find themselves on the hotseat for bugging his office and inspecting his trash baskets to indict him, then lying about it.

The sad part about all these proceedings is the atmosphere of big brotherism evident in the glistening offices and halls of Foggy Bottom.

Otto Otepka deserved to be fired for exposing classified information. And his superiors—John F. Reilly, Deputy Assistant Secretary for Security; David I. Belisle, special assistant to Reilly, and Elmer D. Hill, Chief of Technical Services in the State Department's Security Office—have shown their unfitness for their jobs as well.

Security may be messy business. It invariably requires snooping. But it emphatically does not require officials who engage in the Kremlinesque tactics of wiretapping followed by the big lie.

No wonder a whole passel of American citizens are beginning to worry about the police state.

[From the Vicksburg (Miss.) Post, Nov. 13, 1963]

BUREAUCRATS IN ACTION

Our State Department, which urgently needs investigating and a complete overhauling, is a perfect example of arrogant bureaucratic action. Otto F. Otepka, a veteran security officer of the Department, was dismissed on charges of unbecoming conduct. His biggest crime was supplying the Senate Internal Security Subcommittee with information from confidential files covering employees' loyalty. Then three State Department officials testified before the committee that there had been no rigging of telephones wires in Otepka's office, to thus enable eavesdropping. Now, the testimony is reversed, and it is admitted that the rigging was done, but "no actual interception of conversations took place."

First of all, is it within the realm of our form of Government that an executive department can be a law unto itself, and refuse to give a committee of the U.S. Senate, composed of elected representatives of the people, information regarding the loyalty of any person within that department? Then, to dismiss an officer with a long record of service, branding him as one charged with "unbecoming conduct," because he so testified, is designed to circumvent the efforts of the committee in seeking to smoke out those in our governmental agencies whose loyalty is suspect.

Further, it is now announced that two Department officials have been put on indefinite leave, for their part in this fiasco. Was it because they testified falsely, in the first place? Or, instead, was it because they finally had the courage to come out with the truth?

This Nation is in a sad state of affairs when the people of the Nation, through their elected representatives, are denied the truth about employees of any department of the Government. The conclusion must be drawn that the State Department fears that disclosure to the Senate committee will verify the strong suspicion which has been held by many that the security of the Nation is endangered because of loyalty risks. Instead of blocking the efforts of the Eastland committee, there should be open and full cooperation to the end that no one with the slightest suspicion of disloyalty should be retained, particularly on a sensitive job in a department as important as the State Department.

This matter should make it clear that bureaucrats are not elected officials, and should respond when called to task by those who directly represent the people. Otherwise, the continuing process of bureaucratic rule will finally engulf us. The Senate Internal Security Subcommittee has performed a wonderful service to the Nation in exposing those who are not loyal. Above everything else, the arrogance and disregard of the rights of our people to the truth, as exercised by so many of the intrenched bureau chiefs and their subordinates, should be displayed to the Nation, so that a resultant cleanout of all who persist in this type of action will be demanded by the public.

The latest State Department mess smells to high heavens, and even that is a charitable statement.

[From the Bismarck (N. Dak.) Tribune, Nov. 14, 1963]

AN IMPORTANT RIGHT AT STAKE

The current dispute over the firing of a State Department employee because he allegedly gave information to a Senate subcommittee may indicate why a "freedom of information" bill now pending in the Senate is important.

One Otto F. Otepka, chief of the evaluation division of the Department's Office of Security, was fired because he answered questions of a Senate subcommittee.

Senators regard his firing as an attempt to muzzle State Department witnesses before Senate committees by showing them the consequences of testimony not agreeable to their State Department superiors.

If it is possible to keep Members, or committees, of Congress, or the Senate and the House themselves, from getting at the truth of what goes on in the executive branch, what chance do the people have to get at the truth?

The "freedom of information" proposal is aimed to clarify and protect the public's right to information about the operation of governmental agencies. It would amend the Administrative Procedures Act of 1946, which ostensibly was intended to keep government agencies from imposing secrecy on administration actions but which, it is feared, has been twisted to do the opposite.

Examples of this subversion of the public's right to know have been given:

A list of private offices rented by the Federal Government in Philadelphia was denied the public because the information from the landlords was confidential.

The names of persons granted the privilege of a Federal export license are withheld because the information filed to qualify for the privilege is "submitted in confidence."

Details of compromise settlements of liquor law violations were covered up because they involved material of a "secret nature."

The list is long, and none of the items are even remotely related to national security. One was a security item in reverse, however.

In the latter case, Senator WILLIAMS of Delaware referred to the Agency for International Development a report which charged that under our foreign aid program we were furnishing gasoline for use by Soviet planes flying to Cuba. He received a reply denying the allegation—but the reply he received was marked "secret" and therefore could not be made public.

Not even Congress, which provides the funds these bureaucrats spend, can get the information it ought to have to guide its deliberations and decisions.

Anyone who is interested in the preservation of the democratic system of government has an interest in the information amendment. A government which can operate in secrecy can operate free of responsibility to its people. They can't exert a check on it if they can't know what it's doing. Involved is a fundamental right which badly needs protection.

[From the Greenville (S.C.) Piedmont, Nov. 18, 1963]

REPERCUSSIONS ON OTEPKA

The firing of Otto Otepka raises a stench in the State Department. Though Otepka has been ejected from his job as a Department security officer, the last has not been heard of his case.

Otepka has the right of appeal, and the Senate Internal Security Subcommittee is showing a great deal of interest in how and why his dismissal came about.

Facts behind the case are strange. Otepka was charged with 13 violations of regulations, but most if not all of these were technicalities. His real "crime," in the eyes of top State Department officials, was his cooperation with the Senate subcommittee in its investigation of alleged laxity in security in the Department.

Moreover, the State Department apparently resorted to illegal wiretapping in its effort to "get" Otepka. Senator THOMAS DODD, vice chairman of the subcommittee, said his group has proof that Otepka's phone was tapped. State Department officials first denied, then admitted, that at least an attempt was made to do so.

DODD also reported that Otepka was locked out of his office, was denied access to his files which were rifled, and was humiliated before his fellow employees.

But the heart of the issue is whether a Federal employee should be harassed and fired for talking to a committee of Congress. The subcommittee had a right to the information it wanted.

Otepka has been dismissed for telling the truth—his right under the U.S. Civil Service Code which states that such "shall not be denied nor interfered with." He has been the victim of illegal tactics—wiretapping. The Senate committee should pursue the scent.

[From the Hopkinsville (Ky.) Kentucky New Era, Nov. 16, 1963]

OTEPKA TALKS

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his group has proof that Otepka's phone was tapped. State Department officials first denied, then admitted, that at least an attempt was made to do so.

DODD also reported that Otepka was locked out of his office, was denied access to his files which were rifled, and was humiliated before his fellow employees.

But the heart of the issue is whether a Federal employee should be harassed and fired for talking to a committee of Congress. The subcommittee has a right to the information it wanted.

[From the Winston-Salem (N.C.) Journal, Nov. 14, 1963]

A CASE OF CONFUSED LOYALTIES

Unfortunately, the controversy surrounding the dismissal of Otto F. Otepka from a State Department job has been clouded by the disclosure that Mr. Otepka was the victim of electronic eavesdropping by security officers in the Department.

To make matters worse, the eavesdroppers had testified earlier that they knew nothing about the installation of a listening device in Mr. Otepka's office.

Such blunders as these make it difficult for the Department's reasons for dismissing Mr. Otepka to be considered on their merits. Yet, if the charges against Mr. Otepka are true, there is solid justification, based on well-established precedent, for his dismissal.

Mr. Otepka, who had been with the State Department for 10 years, was chief of the Evaluation Division of the Department's Office of Security. He was charged with giving the Senate Internal Security Subcommittee information from loyalty files that can be released only with personal approval of the President, because of the damaging character of the information. If he wishes, Mr. Otepka may appeal the dismissal.

The firing of Mr. Otepka has brought anguished cries from some Members of Congress. Senator DODD of Connecticut charged that Mr. Otepka did no more than to cooperate with the subcommittee and provide it with information "that some of his superiors found embarrassing or objectionable."

The feud between executive departments and congressional investigators dates back many years.

The House Un-American Activities Committee, seeking information in 1948 about the loyalty of a Government employe, instructed the Secretary of Commerce to transmit to it the full text of a letter from J. Edgar Hoover, director of the Federal Bureau of Investigation, reporting on the employee. The committee was rebuffed by President Truman, who ordered all Federal officials to reject any request from Congress for material from the loyalty files. He said the request should be referred to him for such response as he might determine to be in the public interest.

Similarly, President Eisenhower refused to give the late Senator McCarthy access to privileged papers relating to the loyalty of Army personnel.

Mr. Truman's order, which is still in effect, was cited by the State Department as the basis for Mr. Otepka's dismissal.

Mr. Otepka, as a veteran security officer in the State Department, surely was aware of his obligation to safeguard confidential information which only the President is authorized to release. Yet he professed a "higher loyalty" to tell the truth, overriding the "letter" of any regulations. On this basis, he slipped information from loyalty files to the counsel of the Internal Security Subcommittee.

The trouble with Mr. Otepka's reasoning is that he had his loyalties confused. As an employee of the executive branch of Government, Mr. Otepka's primary obligation was to abide by the rules governing communications within the executive branch. Congress has never contested the validity of those rules. It can hardly condone a breach of the rules, even by an employee who did one of its committees a favor.

[From the Atlantic City (N.J.) Press, Nov. 15, 1963]

COVERUP CHARGED IN STATE DEPARTMENT

Three State Department officials are in trouble—and two of them have been "furloughed"—because they willfully deceived a Senate committee. At the same time, Otto Otepka, until recently the chief security evaluations officer at State, is fighting to get back his job. The State Department reluctantly acted against the three officials—and only after some pretty strong language from Senator THOMAS DODD of Connecticut. It acted ruthlessly against Otepka, whose only crime was to obey the law by cooperating with the Senate Internal Security Subcommittee then probing lax security procedures in the sievelike State Department.

What this proves is that the Department remains unchanged. It continues to think of itself as a private club, privileged above ordinary society. It continues to act as if it were more important to cover up its misdeeds than it is to think in terms of the national security.

The Otepka case is important because the man was treated unjustly. But it is also one more exhibit in a lengthy list which shows that U.S. officials cannot seem to understand the dangers of bad security. The State Department is still doing its best to hush up the scandal—and for a while it reportedly had cooperation from Senator JAMES O EASTLAND, chairman of the Senate Judiciary Committee, which is parent to Internal Security.

It was Senator DODD who forced into the open some of the more unsavory aspects of the Department's treatment of Otepka. In this way he made it impossible for the Senate Internal Security Subcommittee to sit on evidence in its files.

On July 9, 1963, Elmer Dewey Hill, chief of the Division of Technical Services, testified under oath before the Senate subcommittee as follows:

"Question. Do you know of a single instance in which the Department has ever listened in on the telephone of an employee?

"Answer. I cannot recall such an instance.

"Question. Do you know of any instances where a listening device has been placed in an employee's office?

"Answer. Not to my knowledge. * * * I have never engaged in this—in that type of security measure * * *.

"Question. Did you ever have anything to do with placing a listening device in Mr. Otepka's office?

"Answer. No, sir."

On November 6, 1963, after Senator DODD had begun to make his charges of perjury against unnamed State Department officials, Hill wrote to the subcommittee amplifying his testimony of July. Hear this:

"On Monday, March 18, 1963, Mr. John F. Reilly, Deputy Assistant Secretary for Security, asked me to explore the possibility of arranging some way to eavesdrop on conversations taking place in Mr. Otepka's office. * * * Later that day I discussed the technical aspects of this matter with Mr. Clarence J. Schneider. * * * We agreed on the approach to be used. * * * That evening Mr. Schneider and I altered the existing wiring in the telephone in Mr. Otepka's office. We then established a circuit from Mr. Otepka's office to the Division of Technical Services Laboratory by making additional connections in the existing telephone system wiring. (We) tested the system and found we would be unable to overhear conversations in Mr. Otepka's office * * * because electrical interference produced a loud buzzing sound. * * * I reported our unsuccessful effort to Mr. Reilly the following morning. Mr. Schneider has told me that during that day he asked an officer in the Division of Domestic Operations * * * whether he had, or knew where to acquire, equipment which would eliminate such a buzzing sound."

This is only a part of the story. I will return to it in my next column.

[From the Annapolis (Md.) Capital, Nov. 20, 1963]

OTEPKA REPERCUSSIONS

The firing of Otto Otepka raises a stench in the State Department. Though Otepka has been ejected from his job as a Department security officer, the last has not been heard of his case.

Otepka has the right of appeal, and the Senate Internal Security Subcommittee is showing a great deal of interest in how and why his dismissal came about.

Facts behind the case are strange. Otepka was charged with 13 violations of regulations, but most if not all of these were technicalities. His real "crime," in the eyes of top State Department officials, was his cooperation with the Senate subcommittee in its investigation of alleged laxity in security in the Department.

Moreover, the State Department apparently resorted to illegal wiretapping in its effort to "get" Otepka. Senator THOMAS DODD, vice chairman of the subcommittee, said his group has proof that Otepka's phone was tapped. State Department officials first denied, then admitted, that at least an attempt was made to do so.

DODD also reported that Otepka was locked out of his office, was denied access to his files which were rifled, and was humiliated before his fellow employes.

But the heart of the issue is whether a Federal employee should be harassed and fired for talking to a committee of Congress. The subcommittee had a right to the information it wanted.

Otepka has been dismissed for telling the truth—his right under the U.S. Civil Service Code which states that such "shall not be denied nor interfered with." He has been the victim of illegal tactics—wiretapping. The Senate committee should pursue the scent.

[From the Milwaukee Sentinel, Nov. 16 1963]

SECRET TRASH

It may be no laughing matter, but one can't help being amused by what goes on under the name of security in the State Department.

A peek into this box of suspicion and intrigue is provided by a reading of the revised testimony offered by three State Department agents to a Senate subcommittee looking into the case of Otto F. Otepka, dismissed State Department security officer.

In the course of correcting (amplifying, they call it) earlier answers to committee questions about "bugging" Otepka's telephone, the three agents reveal how operatives on our side spy on each other.

For example, John F. Reilly relates how he spied on Otepka, whom he suspected of "illegally" giving information to the Senate Internal Subcommittee. First, he said, he decided that the best technique would be to recover and examine Otepka's "classified trash from his burn bag." This was done on March 14, but nothing of significance was revealed.

Next, Reilly arranged to have undertaken "a survey of the feasibility of intercepting conversations in Mr. Otepka's office." "I made it clear," he adds, "that I was not authorizing the actual interception of any conversations. Rather, I desired to know whether this technique could be used without undue risk of detection in the event that subsequent examination of Mr. Otepka's burn bags continued to reveal nothing of significance."

On March 19, Reilly says, he was informed that a "feasibility survey" had been conducted by connecting spare telephone wires from Otepka's phone to the division of technical services laboratory. He said he was also informed that the system attempted had not proved successful when tested and that it was uncertain whether it could be made to work. "I made it clear," he says, "that I did not wish any conversations to be intercepted at that time."

Later the same day, Reilly said, a second bag of Otepka's classified trash was recovered and examined. "Its contents revealed that Mr. Otepka had furnished certain material to Mr. Sourwine (the committee's counsel)," he said, adding that he then ordered the telephone tap disconnected.

Reilly testified that he understood Otepka had his telephone system checked, but that no evidence was found that it was tapped. Sounding somewhat plaintive, he concluded by saying that he and a colleague "have both noticed unusual sound phenomena on our telephones and have had our telephone systems checked" but that "these checks have not produced any evidence that our telephone systems had been interfered with."

So goes the life of insecurity in State Department security. One can only hope that our security is as zealously protected from outsiders as it seems to be from insiders. It would be funny, if one weren't left with the uneasy feeling that the real threats to security are being neglected while the security officers are spying on each other.

[From the Jackson (Miss.) Clarion-Ledger, Nov. 17, 1963]

ARROGANT CHALLENGE TO POWER OF CONGRESS IS CONTEMPT FOR PUBLIC

The U.S. State Department dismissal of Otto F. Otepka, its Chief Security Evaluations Officer, is not only a serious blow to the Nation's internal security but also poses a direct and brazen challenge to the authority of Congress.

Senator JAMES O. EASTLAND, of Mississippi, chairman of the Senate Internal Security Subcommittee made this point clear when he said: "The powers of Congress are at stake and I intend to protect Mr. Otepka by every means at my command against accusations which complain, in effect, that he told the truth when asked to do so by our Senate subcommittee."

State Department action in firing Mr. Otepka has shown obvious contempt for the prerogatives of the Senate and alarming indifference to security risks within the Department. Mr. Otepka, victim of this outrageous purge, is a veteran of 27 years of Government service.

For the past decade or so, Mr. Otepka has been the official who gave security clearances to State Department personnel. His ability in this key post is quite evident from the fact that several years ago he was awarded the State Department's special award for meritorious service.

Because Mr. Otepka testified before the Eastland Internal Security Subcommittee, leftists and pinkos in the State Department decided to give him the bum's rush. He was accused of disclosing Department secrets to a duly authorized inquiry by Congress, into matters directly affecting national security.

In the words of an arrogant bigwig of the Dean Rusk hierarchy, Otepka "is out of step with the times. We no longer hunt witches. We have no security problems and he knows it." The Senate subcommittee's reaction has been one of skepticism—mindful that the State Department has aided the rise of Fidel Castro, promoted aid projects for Red-controlled nations, and otherwise given aid and comfort to international communism.

Nor is it likely that Senate—and public—skepticism can be allayed by the Department's clumsy, belated effort to make amends by suspending (at full pay) a couple of insignificant underlings who have aided in the persecution and harassment of Otto F. Otepka because he cooperated with Congress.

In the topsy-turvy attitude it has displayed in the Otepka case, the State Department has been chasing the policeman instead of the culprits; and the words "security violation" have come to mean not the act of turning over information to a foreign power but the act of giving information to a committee of the U.S. Senate.

If Mr. Otepka's dismissal is permitted to stand, it will be very difficult if not impossible to elicit any information from workers in the executive department that bears on disloyalty, malfeasance, conflict of interest, or other wrongdoing by their superiors.

It is not enough that the Civil Service Commission will review the Otepka case and that President Kennedy has promised to look into the matter. Congress itself—and particularly the Senate Internal Security Subcommittee—must insist on a complete reversal of this unjust State Department action and assurances that the legal authority of our legislative branch will be respected henceforth.

[From the Birmingham (Ala.) News, Nov. 11, 1963]

TWO EAVESDROPPERS GO ON LEAVE

Two of three State Department officials who have acknowledged that the telephone wiring in Otto F. Otepka's office was rigged for eavesdropping will go on administrative leave Tuesday.

Meanwhile, the Department has launched an inquiry into the incident and said it will move as promptly as possible.

Going on indefinite leave, depending on the termination of the inquiry, a Department source said, are John F. Reilly, Deputy Assistant Secretary of State for Security, and Elmer Dewey Hill, Chief of the Division of Technical Services in the Department's Office of Security.

They and David I. Belisle, Reilly's special assistant, have told the Senate Internal Security Subcommittee that wires were connected to Otepka's telephone to permit eavesdropping on conversations.

They also said no actual interception of conversation took place and that the wiring was disconnected after a test showed it unworkable.

[From the Jefferson City (Mo.) Capital News, Nov. 9, 1963]

THE FIRING OF GOOD OFFICIAL

(From St. Louis Globe-Democrat)

Because Otto F. Otepka, veteran career officer, was dedicated to national security and believed Congress ought to know of security failures, the State Department fired him Wednesday.

Specifically, he was discharged for giving confidential information to a Senate subcommittee, conduct described as "unbecoming an officer" of the Department of State.

The confidential information involved data on wretchedly bad advice by official State counselors which contributed to the Government's failure to realize in time that Fidel Castro was a plain Cuban Red.

Is it conduct unbecoming an officer to reveal facts, involving among others William Wieland, a top-ranking State official, and the ill-informed, stupid recommendations they made in sugaring over or disclaiming Castro's communism?

Are we to believe it more becoming in the Chief Security Evaluation Officer of the State Department to hide the shells of grave errors and incompetence?

Congressman H. R. GROSS, of Iowa, called Mr. Otepka's ouster most reprehensible. He declared the State officer was fired for providing a committee of Congress with information necessary to show that "other officials of Government were not telling the truth."

Acting Chairman DODD of the Senate subcommittee previously stated discharge of Mr. Otepka would be a great tragedy, indicating State Department is more interested in prosecuting employees who want to clean up the Department than employees accused of practices injurious to national security.

The dismissal of Mr. Otepka, a conscientious and courageous State Department official, is indeed reprehensible. He simply didn't want sleazy security methods in sensitive areas and is convinced, as we are, that far too many dubious characters are ensconced in the Department's advisory echelon.

As to the charge made against him of giving classified information to Congress—that holds about as much water as a cheesecloth sieve.

There is a long tradition that the executive department can withhold some documents from the Senate. This, we submit, cannot govern when the security of the country is at issue.

Congress has a right to make security laws. It cannot possibly do so if it doesn't accurately know the needs.

The Otepka case is not finished. It should be appealed, to the courts if necessary.

What irony to punish him for baring State Department security errors and do nothing about the men who were miserably taken in by the Castro flimflam.

[From the Kokomo (Ind.) Tribune, Nov. 8, 1963]

A FIRING IN WASHINGTON

Has the State Department erred in firing 48-year-old Otto Otepka, a veteran of 27 years of Government service? It discharged him this week for disclosing lax security conditions in the division he headed.

Otepka was responsible for giving security clearances to employees of the State Department. He checked on the background of applicants for jobs in the Department to determine whether they were security risks.

He must have been an efficient official, for in 1958 he received the Department's award for meritorious service.

The Department asserts that he engaged in conduct unbecoming a diplomatic officer—namely, collaborating with the Senate Security Subcommittee by informing it of what he regarded as security risks.

Senator DODD, Connecticut Democrat, charges the State Department with interpreting "security violations" not as the act of turning over information to an alien power but as the act of giving information to a Senate committee.

If what Otepka did was warn the Senate of persons he considered risky, he may have gone over the heads of his superiors. That is always a questionable procedure for a subordinate to engage in, but if Otepka was convinced that his superiors were not taking sufficient action in cases of doubtful loyalty it is difficult to see where he was doing the country a disservice.

As Senator DODD says, "the right of Government employees to furnish information is established by the U.S. statutes."

Otepka's dismissal is subject to review by Secretary of State Rusk, and Mr. Rusk's decision will be awaited with much interest. In Senator DODD's words, "if the dismissal stands, it will be impossible, or exceedingly difficult, to elicit any information from employees of the executive branch about disloyalty, malfeasance, conflict of interest, or other wrongdoing by their superiors."

[From the Augusta (Ga.) Chronicle, Nov. 8, 1963]

WHAT KIND OF LOGIC IS THIS?

The firing of the State Department's chief evaluator of security risks demands not only

the routine hearing and review by the Civil Service Commission that he has been promised, but a full congressional inquiry as well.

On the surface, it appears that Otto F. Otepka's only crime was, in reality, his determination that appropriate action be taken in situations involving security risks in the State Department. Apparently stymied in his efforts to get action within his own Department, Otepka gave the information he had to the subcommittee. For this he was guilty of giving confidential information to Senate investigators and fired on charges of conduct unbecoming an officer of the Department of State.

Thus a man who occupied one of the most sensitive posts in our Government appears to have been fired not for incompetence, but for being too competent in his resolution that no security risks would be tolerated in the supersecret chambers of the State Department. He was fired because he disclosed confidential information to Senators whose access to classified data is well-established, Senators whose committee is motivated by the same antisecurity risk drive possessed by Otepka.

Perhaps Otepka violated some rule or regulation of the State Department. But what kind of logic is it that permits the detective to be fired on a technicality while the clues to identity of a potential criminal are swept under the rug?

The American people need to be told the whole truth about the Otepka episode. Our representatives in Congress should not relent until that demand in our behalf is met.

[From the New Orleans Times-Picayune, Nov. 8, 1963]

OTEPKA PROBE

Senator SCOTT of Pennsylvania has joined in demands for investigation of the dismissal of veteran Otto F. Otepka of the Security Division of the State Department. The dismissal will be appealed to the Civil Service Commission, but several disturbing questions have arisen concerning the full story behind the ouster which have not been officially clarified. Besides this, it appears that Mr. Otepka was "put in the middle" as a result of a conflict between what a Senate subcommittee wanted to find out, and what has been described as "institutional" (State Department) loyalty. It behooves Congress at least to stand by and do its utmost for the victim.

A serious charge that remains unsubstantiated, in all this, is that Mr. Otepka also was put on the spot by superior officers who allegedly reflected on his integrity by testifying he had failed to advise them about certain matters or certain individuals; and that Mr. Otepka was able to prove the contrary to the Senate subcommittee by documentation. It was use of this documentation (classified, or either properly or improperly declassified) that figured heavily in Mr. Otepka's dismissal. How else he could have cleared himself of negligence is not apparent.

The secrecy classification (which he says he himself originally ordered for the material) does not relate to facts prejudicial to national security, but to the security of individuals relative to premature or otherwise improper disclosure of confidential information concerning their status as national security risks, etc.

[From the Levittown (Pa.) Times, Nov. 7, 1963]

AFFAIR OTEPKA

The State Department this week summarily dismissed a longtime, high-ranking employee named Otto F. Otepka amid a rash of charges and a good bit of resulting confusion.

If the confusion is to be cleared up, the State Department owes us a full explanation of the affair Otepka and one certainly should be forthcoming.

Otepka was second in command of the Department's security office. He was subpenaed to appear before the Senate's Internal Security Subcommittee and in response to the subpena he did so appear.

No one has questioned the accuracy of his testimony. Otepka was bounced not for stretching the truth but, in effect, for testifying at all and for suggesting questions the subcommittee might ask.

Democratic Senator THOMAS J. DODD, of Connecticut, has called the firing an affront to the Senate as a whole. He asks how any Senate committee can obtain information if a man can be fired for this reason.

It's a good question.

Breach of security or denial of an individual's rights hardly can be involved, for this particular subcommittee has acted always with reserve, releasing no information that might endanger in any way either this country or any of its citizens.

At the heart of the squabble is the question of whether a legislative group should have access to the files of an executive branch of our Government.

We feel it should. To echo Senator DODD: How else is our Legislature to be properly informed and guided?

And if this is not what was involved, then where is the truth of the matter?

[From the Chicago American, Nov. 7, 1963]

STATE DEPARTMENT DEFIANCE

In firing Otto F. Otepka, the State Department makes it plain that it considers Congress, and not the Communist conspiracy, its enemy. The Department's charge against Otepka was that he gave confidential information (meaning information the State Department preferred to keep concealed) to the Senate.

Representative H. R. GROSS, Republican, of Iowa, has said Otepka got into trouble with his State Department superiors by "giving Congress information it had every right to know," and this seems to be exactly what happened. Obviously the State Department had set out to conceal facts from Congress and fired Otepka because he did not go along with the concealment.

And what was the matter the State Department was trying to keep Congress from looking into? Otepka has said it was loose security practices, meaning that people of doubtful loyalty were being hired for positions in the State Department. And this was Otepka's very special business because he was the Department's chief security risk evaluator.

The Senate Subcommittee had been trying, too, to find out why State Department officials—particularly William A. Wieland, State Department desk officer on Cuban affairs—had been so slow about recognizing the fact that Fidel Castro was a Communist. The State Department, in firing Otepka, takes the position that this is none of the Senate's business—meaning also, naturally, that it is none of the American people's business, either.

The administration and the State Department have been allowed to assume for too long that they are privileged to conceal their blunders in Cuba. Now let us hope the Senate and the House both dig into the department's impudent firing of Otepka and keep on going until they expose a lot of facts about Cuba.

Congress controls the financing of the State Department, and it should use that control to find out what is going on in the Department.

[From the Syracuse Post-Standard, Nov. 7, 1963]

PENALTY FOR TRUTH?

The firing of the State Department's chief security risk evaluator, whose only crime apparently was to give confidential information to Senate investigators, is certain to raise a storm in Congress.

As Senator THOMAS J. DODD, of Connecticut, says, Otto F. Otepka was not fired for giving the Senate Internal Security Subcommittee false information, but "because he gave the committee true information that embarrassed someone."

If Otepka was dismissed merely for telling the truth even though it reflected on the State Department, he should be reinstated. Government agencies are in a bad way if they must take such action to retaliate for disclosure of critical data.

Otepka apparently knows a great deal about what goes on in the State Department. If he felt the subcommittee should have information on slipshod administration of the agency in matters of security, it was his duty to convey it. After all, that is the business of the subcommittee.

[From the Charleston (S.C.) Post, Nov. 7, 1963]

THE CASE OF OTTO F. OTEPKA

Another controversy has been added to Washington's growing list in the State Department's action against Otto F. Otepka, its chief security risk evaluator. He was fired on charges of conduct "unbecoming an officer of the Department of State." It was claimed he had supplied the Senate Internal Security Subcommittee with classified documents.

Immediate protests came from congressional voices.

Representative H. R. GROSS, of Iowa, said the Department's action was "the most reprehensible thing I've heard." Previously he had labeled the charges against Otepka as an outrage.

A member of the subcommittee, Senator ROMAN L. HRUSKA, of Nebraska, described Otepka as "a man of unquestionable integrity," and predicted the decision would be reversed on appeal, and if it weren't the dismissal of the official would "be a great loss to the Government and to the career service."

Something of a Congress-administration battle seems to have been launched.

Representative GROSS said Otepka was fired "for providing a committee of Congress with information that was necessary to demonstrate that other officials of the Government were not telling the truth."

It seems to us that a Senate Internal Security Committee should have full and free information concerning the State Department's activities, that its very purpose carries with it the right to know. There is a constant cry against questionable secrecy in various Government offices. Congress has vital responsibilities and its committees should have access to public business. Evidently Mr. Otepka believed that and gave testimony to which he felt the committee was entitled.

[From the Fort Lauderdale (Fla.) News, Nov. 9, 1963]

SECURITY OFFICER FIRING SETS UP SENATE SHOWDOWN ON NEW FRONTIER SECRECY

As of this date there are not too many people in this country who are familiar with the case of Otto Otepka and what has happened to him at the hands of our State Department for doing nothing more than observing the law.

In the days ahead, however, we think a great many more people are going to become better acquainted with the Otepka case because the Senate Internal Security Subcommittee is not going to permit the dismissal of this man after 27 years of valuable and loyal service to his Government to go unchallenged.

Prior to his dismissal Otepka had held the post of deputy director of the Office of Security in the State Department and was the

officer in charge of security evaluations. His efficiency ratings had always been "excellent" and in 1958 he had been given the Meritorious Service Award from Secretary of State John Foster Dulles.

All this, however, was before the New Frontiersmen moved into the State Department and started to get rid of old-line employees who believed in tight security screening. They brought in people who would have clearly been classified as security risks in previous administrations. To clear these people and their own skirts, they revised the definition of a "security risk" to *such an extent* that it opened the door for just everybody they wanted in the department including, it has been reported, Alger Hiss.

As the officer in charge of security evaluations Otepka soon found himself at odds with some of his superiors over their liberal views on this security risk business. Then, when Otepka was requested to provide information to the Senate Internal Security Subcommittee, which was looking into State Department handling of Cuban affairs during the period of Fidel Castro's rise to power, Otepka really became persona non grata to his superiors by supplying the subcommittee with the information it had requested.

That's when Otepka really started getting the works. According to Senator THOMAS J. DODD, a leading member of the subcommittee, the first actions taken against Otepka was to restrict his functions.

Then, according to DODD, a tap was installed on his telephone and with the assistance of Bobby Kennedy's minions in the Justice Department his "burn" basket was monitored every night in an effort to find some kind of evidence upon which they could pin a charge on him.

Eventually, they found some evidence indicating he had furnished what they termed "classified" information to the Senate subcommittee, but even before they were ready to bring charges against him he was locked out of his office and denied access to his files.

Finally, charges of conduct unbecoming a State Department officer were lodged against him and he was given notice of dismissal. The charge and the dismissal notice were later reviewed by top level authorities in the Department and a few days ago Otepka got his walking papers.

This, however, isn't the end of the story by any means. The information Otepka furnished the Senate subcommittee was of such an explosive nature that a 10-page memorandum summarizing the Otepka case was drawn up and signed by every member of the Judiciary Committee of the Senate and ordered to be delivered to Secretary of State Dean Rusk personally by DODD. The Senator was also instructed by his colleagues to notify Rusk that the committee would force a showdown on the entire matter if the Secretary continued to forbid employees of the State Department to testify before the committee.

Senator DODD pointed out just this week that Federal law specifically declares that persons employed in the civil service of the United States have an undeniable right to furnish information to either House of Congress or to any committee or member thereof. He contends that the dismissal of Otto Otepka is not only a direct affront to the Senate subcommittee but an affront to the Senate as a whole and a denial of its powers as established by legislation.

He has further declared that the State Department, by its action in the Otepka case, has, in effect, nullified a Federal law and issued a warning to all employees that cooperation with established committees of the Senate, if this cooperation involves testimony considered unpalatable at higher echelon, is a crime punishable by dismissal.

To meet the challenge posed by Otepka's dismissal DODD has asked for an emergency meeting of the full Senate Judiciary Committee to consider the implications posed by the dismissal. He has further asked that the 10-page memorandum on the Otepka case which was delivered to Rusk be circulated to all Members of the Senate.

If the Otepka dismissal is permitted to stand, DODD has declared it will become virtually impossible or exceedingly difficult to elicit any information from employees of the executive branch that bears on disloyalty, malfeasance, conflict of interest, or other wrongdoing by their superiors.

DODD is absolutely right. The Otepka case furnishes further evidence that the New Frontier is running a closed shop operation that is immune from congressional scrutiny and this is something that must be challenged and stopped if Congress and the people are ever to learn even the partial truth about what's going on in the Government they are paying so very heavily to support.

JACK W. GORE.

[From the Charleston (S.C.) News and Courier, Nov. 7, 1963]

PATRIOT IS DISMISSED

Dismissal of Otto F. Otepka, State Department security evaluator, because he gave information to members of the Senate Internal Security Subcommittee, is grossly unfair to a patriotic citizen and an affront to the U.S. Senate.

Mr. Otepka's alleged crime is that he told Senate investigators that high-placed State Department officials intended to bring known security risks back into the Department.

The subcommittee warned Secretary of State Dean Rusk against this kind of drastic action. President Kennedy gave assurances that Mr. Otepka would have a hearing before the Civil Service Commission. All that was conveniently forgotten by the State Department. The Department apparently would not relent because Mr. Otepka was more loyal to his country than to the State Department club of insiders.

The Senate subcommittee, of which Senator OLIN D. JOHNSTON, of South Carolina, is ranking member, has received a slap in the face from Mr. Rusk. We trust that the subcommittee will uphold the right of Congress to investigate and confer with Government officials, and also express disapproval of the unconscionable abuse to which Mr. Otepka has been subjected.

[From the Omaha (Nebr.) World-Herald, Nov. 7, 1963]

MORE ON MR. OTEPKA

Since the case of Otto Otepka was mentioned, sorrowfully, in these columns a few days ago, our readers may be interested in a further comment on the same subject—this one by the able Democratic Senator THOMAS J. DODD, of Connecticut.

First, a brief review of the facts:

Mr. Otepka was an employee of the State Department for 27 years. He had served as Deputy Director of the Office of Security and officer in charge of evaluations. In 1958 he received the Meritorious Service Award from the late Secretary John Foster Dulles.

This year, after Mr. Otepka had testified rather frankly before the Senate Subcommittee on Internal Security, someone higher up decided Mr. Otepka had to go. A tap was installed on his telephone. Mr. Otepka's "burn" basket was searched. He was locked out of his office and denied access to his files. Finally he was fired.

Now to pick up part of Senator DODD's comment:

"No one suspected of espionage or disloyalty has to my knowledge been subjected to such surveillance and humilitation. But Mr. Otepka was not suspected of disloyalty or espionage. He was suspected very simply of cooperating with the Senate Subcommittee on Internal Security and of providing it with information that some of his superiors found embarrassing or objectionable.

"In the topsy-turvy attitude it has displayed in the Otepka case, the State Department has been chasing the policeman instead of the culprit, and the words 'security violation' have come to mean, not the act of turning over information to an alien power, but the act of giving information to a committee of the Senate of the United States."

[From the Miami (Fla.) Herald, Nov. 10, 1963]

STATE OUSTS SECURITY AID

Secrets are secrets, the State Department decided last week, and you can't trust anybody these days.

So saying, they fired their 10-year veteran security officer, Otto F. Otepka, because he talked to the Senate's Internal Security Committee.

The reaction from Congress was swift and bitter. Senator THOMAS DODD, of Connecticut, charged that Otepka's only violation was testifying "honestly" on matters relating to the "security" in the Department of State.

But State said Otepka had given "confidential documents" to the committee and out he went.

[From the Worcester (Mass.) Gazette, Nov. 11, 1963]

THE OTEPKA CASE

There is more to the case of Otto F. Otepka than has thus far met the eye.

Otepka, chief security evaluations officer of the State Department, was recently dismissed for his role in providing confidential documents to the Senate Internal Security Subcommittee without the prior consent of his superiors. That is a matter that can be argued till doomsday—whether a Government official owes his complete loyalty to his department or whether he has the right to go behind their backs in matters he feels involve the vital interests of the Nation. At any rate, there is little question that Otepka overstepped the bounds of usual procedures when he passed over some confidential documents to the subcommittee counsel, J. G. Sourwine. It is said that some of the documents had had their confidential stampings snipped off of them, which, if true, is certainly not good.

But if Otepka is guilty of disobedience and poor judgment, some of his accusers in the State Department are guilty of misrepresentations that can hardly be distinguished from perjury. Three of them—John F. Reilly, David I. Belisle, and Elmer Dewey Hill—all high up in the Department's ranks, allegedly spied on Otepka because they suspected he was secretly handing information to the Senate subcommittee. They treated him exactly as if he were an agent spying for the Communists.

When they were questioned by the Senators, the three denied that they listened in on Otepka's telephone. Now they say, in amplifying their remarks, they did actually set up a tap on Otepka's phone, but they never listened in and never used any information gleaned from the tap. Reilly and Hill have been placed on administrative leave pending a final decision by Secretary Rusk. The chances are that all three may have to leave the Government.

The whole unpleasant incident will leave a bad taste in American mouths, and a great many questions to be answered. If Otepka showed such poor judgment, for example, why was he kept in such an important role for so many years? And why was the Department so anxious to keep information from the Senators, who presumably, are not enemies of the country?

Unfortunately, this is not the first time that an executive department has acted as if Congress were the enemy. The bureaucracy hates to have legislative emissaries snooping around in bureaucratic affairs. Unfortunately, also, the Congress has not always used its privilege with complete discretion.

No one wants to see the Government become a huge nest of informers telling tales out of school. Certain sensible administrative procedures must be set up, and these include a proper chain of command in which subordinates do not defy their superiors.

But the executive departments have an obligation to cooperate with Congress instead of setting up needless road blocks to legislative inquiry. The Otepka case may be hard to judge, but it certainly indicates that something has gone wrong somewhere.

[From the Chattanooga (Tenn.) News-Free Press, Nov. 12, 1963]

HARDLY A CONFIDENCE GENERATOR

As Senate investigators were looking into the hideous Cuban debacle and seeking information about those in the State Department who had a hand in it, the Kennedy administration didn't like it at all when Otto F. Otepka, a veteran State Department security officer, cooperated with the Senate and gave information and suggested questions that should be asked to develop the evidence.

In the course of the matter, the State Department fired Otepka. But interesting facts came out. Some State Department officials at first denied before the Senate committee in secret session that they had any knowledge of installation of listening devices by which Otepka's critics could eavesdrop on his telephone—then later admitted that such devices had been installed.

With this conflict in testimony made public, the State Department has not treated the officials with leaky stories the way it treated Otepka for cooperating with the Senate investigators. The State Department has confirmed that it has given "leave" beginning today to two of the officials who finally acknowledged the telephone wiring.

This provides an interesting comparison of State Department values—and an explanation, in part, at least, of why we have such failures as that in Cuba:

The man who cooperated with the Senate to try to discover what went wrong has been fired.

The men who had twisted stories in evident effort not to cooperate are on "leave."

The men who knew about Communist Castro yet aided in bringing him to power and who since have hindered efforts to topple him are still at work in the State Department.

This doesn't exactly generate confidence, does it?

[From the Rocky Mount (N.C.) Telegram, Nov. 12, 1963]

BIG BROTHER STILL WATCHING

Serious indeed is the situation in the State Department in which two high officials admitted that telephone wiring in Otto Otepka's office had been tapped for eavesdropping on conversations. Otepka, a veteran State Department security officer, was dismissed on charges of "unbecoming conduct."

Actually, Otepka was fired for bringing to the attention of the Senate Internal Security Committee certain facts concerning the conduct of affairs of the State Department in several oversea countries. These facts, embarrassing to the Department, brought his dismissal because he refused to be hushed up on the matter.

It is a shocking situation when a longtime official of the Federal Government is victim of such police state tactics as wiretapping and eavesdropping. The two officials who admitted the wiretapping were men of responsible positions. One was Deputy Assistant Secretary for Security John F. Reilly, and Elmer Dewey Hill, Chief of the Division of Technical Services in the Department's Office of Security.

They admitted no actual interception of conversations took place, none was authorized and that the wiretap was eventually removed. It was noted by the Senate subcommittee that earlier testimony of these officials denied knowledge of the installation of any listening devices in Otepka's office. In the words of Senator DODD, chairman of the committee, they had in effect admitted that they lied under oath by denying knowledge of such wiretapping.

"When officials of the State Department admit, in effect, that they lied under oath to a Senate committee," said DODD, "every American and every Member of Congress ought to be concerned."

Of even more concern is the situation in Washington that permits such activity to take place. Wiretapping of this nature is not new; Bobby Kennedy advocates legislation even now that would permit the Justice Department to make legal use of wiretapping. Such legislation has no place in American Government or anywhere else. It is an invasion of privacy.

In a government where an official cannot be trusted to the extent that his private conversations are bugged by snoopers, we see the opening phases of a system that is strongly reminiscent of police state regimes, and such phases are always the signal for the beginning of the end for democratic government.

[From the Buffalo (N.Y.) Courier-Express, Nov. 11, 1963]

OTEPKA CASE HAS GREAT SIGNIFICANCE

The action of the State Department in removing Otto F. Otepka as its chief security evaluation officer already has stirred up a mighty controversy in Washington and in all probability the repercussions will be heard for many months to come.

On the face of it, the case is fairly simple. He is charged with "conduct unbecoming an officer of the Department of State" on grounds that he clipped labels denoting classifications of secrecy off classified documents which he then turned over to the chief counsel of the Senate Internal Security Subcommittee. The Department also contends that Mr. Otepka wrote out questions which the counsel was to ask Department officials during the subcommittee's investigation into State Department matters.

There seems to be no question that Mr. Otepka did what he is accused of doing. The only question is whether or not he was wrong in doing it. The Department, on the other hand, has made no claim that the distribution of the documents or the preparation of the questions was of any direct benefit to enemies or potential enemies of this country.

The Department certainly was embarrassed to have the information get out and into the hands of the people who are investigating its operations and no boss wants to have under him an employe who deliberately causes his superiors embarrassment. So, said the Department, Mr. Otepka must go.

But this situation is different from the underling-superior relationship which applies in private business. In a democratic government, everything that a department head and those responsible to him do should be open to public scrutiny unless the security of the Nation—as distinct from the Department head—is involved.

The executive departments of the Nation under Republicans and Democrats have more and more been inclined to hide their actions from the public. Executive orders started under former President Eisenhower and continued and expanded under President Kennedy have built a wall of secrecy around much of the activity of administration figures. This wall—which in our opinion is even more dangerous than the one the Communists built in East Berlin—must be destroyed and if Mr. Otepka breached it, he deserves the thanks, not the censure of the public.

It is quite possible that his actions will make it more difficult for the State Department to operate. But if executive departments are permitted to cover up errors, goofs, frauds or derelictions by arbitrarily slapping a "secret" classification on documents pertaining to the action, even though no security is involved, then our democracy is in tough straits. In a democracy, Government is still the people's business. Let's bring it all out in the open and let the people be the judge.

[From the Savannah (Ga.) News, Nov. 12, 1963]

STRAIGHTEN OUT THE BUREAUCRATS

The State Department has some strange ideas concerning its responsibility to the public, not to mention its relationship to Congress.

Everyone must know by now that the State Department has dismissed an official for, of all things, cooperating with with a committee of Congress. Now it has been established that the same official's telephone lines were tapped, even though State Department spokesmen denied this in testimony before the Senate Internal Security Subcommittee.

We share the committee's dissatisfaction with the attitude and behavior of the State Department, which by its actions implies that it has something to hide from the Congress and the American public.

The executive branch of the Federal Government has established a precedent of ignoring the intent of Congress and the desires of the public. Perhaps the State Department has been infected with the same disregard for the legislative branch.

Every American citizen should resent the Washington bureaucracy's expression of contempt for Congress. The Members of the legislative bodies in Washington are the representatives of the people, and affronts of Congress are, in effect, a demonstration of scorn for the U.S. public.

We hope the Senate Internal Security Committee will carry out its investigation of the State Department regardless of obstacles, and expose those who are attempting to hamper its work.

The true facts about the firing of a loyal official who made the mistake of speaking frankly to congressional investigators should also be brought to light. It is ironic that the State Department has dismissed this man while bureaucratic secrecy still protects those who have made errors detrimental to the Nation's security, in connection with the rise of Fidel Castro in Cuba, for example.

We view with extreme concern the attitude the administration and some of its agencies have taken in respect to the public and the Congress. This attitude implies that the American citizen and his representatives have no right to know what is going on in Government, and no right to have a voice in policy. That is contrary to our ideals of government, and it just won't work.

[From the Kansas City (Kans.) Kansan, Nov. 11, 1963]

THE STRANGE OTEPKA CASE

The way in which the case of Otto Otepka (as related elsewhere on this page) was handled does not reflect credit to the State Department.

Though Otepka now has been officially fired from his job as a Department security officer, the last of the case has not been heard.

Otepka has the right of appeal, and the Senate Internal Security Subcommittee is showing a great deal of interest in how and why his dismissal came about.

Facts behind the case are strange. Otepka was charged with 13 violations of regulations (see article) but most if not all of these were technicalities. His real crime, in the eyes of top State Department officials, was his cooperation with the Senate subcommittee in its investigation of alleged laxity in security in the Department.

Moreover, the State Department apparently resorted to illegal wiretapping in fashioning its case against Otepka. Senator THOMAS DODD, Democrat, of Connecticut, vice chairman of the subcommittee, said his group has proof that Otepka's phone was tapped. State Department officials later admitted that at least an attempt was made in this direction.

DODD also reported that Otepka was locked out of his office, was denied access to his files which were rifled, and was humiliated before his fellow employees.

But the heart of the issue is whether a Federal employee should be harassed and fired for talking to a committee of Congress. The subcommittee had a right to the information it wanted. Perhaps it should have sought first to obtain it through Secretary Rusk, but in some instances investigations demand more indirect means if the truth is to be learned.

In essence, Otepka has been dismissed for telling the truth (or at least what he considered the truth)—his right under the U.S. Civil Service Code which states that such "shall not be denied nor interfered with." Further, he has been the victim of illegal tactics—wiretapping. The State Department does not look good.

[From the Norfolk (Va.) Virginian-Pilot, Nov. 10, 1963]

THE OTEPKA FIRING CASE

It is easy to see how the particulars of the Otto F. Otepka case could become submerged in a debate—perhaps a useful debate—over the areas of responsibility of Congress and the executive branch. This appears to be the Senate's approach in its spirited defense of the State Department's top security officer, fired for turning over confidential documents to the Senate Internal Security Subcommittee.

But the immediate issue seems to us to be whether Mr. Otepka broke the rules. He is accused of drawing from State Department files confidential documents on Cuba, defacing them by scissoring out the "Confidential" classification, and delivering them to the subcommittee's legal counsel. He is accused also of helping the subcommittee's legal counsel prepare questions to be asked of various Department officials concerned with developing Cuban policy.

Violations of this magnitude would seem to us to be sound grounds for dismissal.

Nor are we impressed with Senator DODD's warning that punitive action against Mr. Otepka makes it difficult to get future information about malfeasance or disloyalty in the State Department. Employees of the State Department, or any other Department, are entitled to work free of the fear that information gained by spying will not be used one day to question their loyalty or their competence. The State Department, meanwhile, has some explaining to do about its counterspying on Mr. Otepka.

Mr. Otepka had the right to question the judgment of others in his Department. He did not have the right, though, to mount a one-man information service within the Department for a Senate subcommittee. He has at his disposal now adequate appeals procedure to defend himself against this charge.

[From the Johnstown (Pa.) Tribune-Democrat, Nov. 11, 1963]

INTERNAL SECURITY CONGRESS' JOB, TOO

The case of Otto F. Otepka, career civil service employee with an outstanding record, who has been fired because he gave confidential documents dealing with internal security measures to the Senate Internal Security Committee, is surely one of the strangest on record.

One may assume that the interests of the State Department and those of the Senate subcommittee are identical: To keep security risks out of the sensitive areas of the State Department. That being so, it must also be assumed that the State Department would welcome any investigation which would further that end.

However, when Mr. Otepka gave the subcommittee information to which it certainly was entitled—though he may have committed a technical violation of the rules—he was first spied upon, then refused access to files, and ultimately ordered dismissed subject to appeal. Now two more State Department employees—perhaps three—who have "corrected" earlier testimony indicating there had been no tapping of Mr. Otepka's telephone may have to be dismissed. And this case isn't over yet.

An unidentified spokesman for the State Department has been quoted by the New York Times as saying that Mr. Otepka was out of step with the times; that "we are not witch hunting any more," and that "we have no security risks, and he knows it." Apparently this skilled security officer doesn't know it. And, for that matter, it is very unlikely the State Department has reached any such degree of absolute, clinical sterility.

Senator THOMAS J. DODD, Connecticut Democrat who heads the Security Subcommittee, said that "in the topsy-turvy world of the State Department" security violations have come to mean, not turning over information to an alien power, but giving information to a Senate subcommittee. The charges, said DODD, boil down to "the simple fact that Otepka testified honestly before the subcommittee about matters relating to security in the Department of State."

Senator DODD calls this an affront to the whole Senate, which does not seem to be an exaggeration. It suggests that the executive branch of the Government has concluded it has no accountability to the legislative branch, and that is out of line with our constitutional system of divided powers. While a President may, and sometimes does, withhold confidential information from Congress, that power does not reside in any lesser official.

The handling of the Otepka case implies that Congress has no right to look into the manner in which internal security measures are being taken in the most vital area of Government. It hardly seems likely any public official would uphold such a contention openly. And this challenge to congressional authority should be met vigorously, since Executive accountability to the representative branch of Government is a fundamental part of our constitutional system.

[From the Montgomery (Ala.) Advertiser, Nov. 10, 1963]

A COLLISION OF BRANCHES

The firing of the State Department man, Otto F. Otepka, if it does not arise specifically out of the ageless jealousy between the executive and legislative branches of Government, will nevertheless give another airing to that conflict.

Because he allegedly passed on classified material to the Senate Internal Security Subcommittee, Otepka stands accused, in a sense, of consorting with the enemy, the enemy being Congress.

What he told the subcommittee is an embarrassment to the administration. Besides supplying the committee with documents, Otepka is accused of helping the committee counsel prepare a list of piercing questions to ask of his superior in the State Department, Security Chief John F. Reilly.

It is the more extraordinary because Otepka, far from being a minor figure, was chief security evaluations officer of the Department.

It is authoritative when his testimony suggests boneheadedness in the State Department security system, a system that has long been under attack for its porousness.

But in testifying as he did to the committee and supposedly furnishing documents to support his charges, Otepka has cut across an executive order that dates back to President Truman. This order specifically denied loyalty files to Congress for the purpose of protecting individuals.

If this order is being used to chop down Otepka and conceal the flaws that he has described in the State Department security system, the executive branch is guilty not only of an affront to the Senate, as Senator DODD charged, but an affront to the Nation.

There'll be plenty of opportunities for Otepka to vindicate himself through appeals. If nobody expects Otepka to get a fair hearing from the administration officials to whom he may appeal, including the President, Otepka has the opportunity to go to court.

Besides that, Otepka has a powerful defense battery in the U.S. Senate.

Unless Otepka and the Senators he talked to are witless, there is substance to his charges, and if the act of supporting these charges violates an executive order, hang the order. The checks and balances system won't perish from a mining of the truth.

[From the Dothan (Ala.) Eagle, Nov. 12, 1963]

STRANGE BUSINESS

Some strange things are always going on in the Federal Establishment, it seems, and currently it's the firing of Otto F. Otepka by Secretary of State Dean Rusk. Otepka, until his dismissal, was a veteran security official for the State Department.

Secretary Rusk said Otepka was let out "for conduct unbecoming a State Department officer." Interestingly, one of the charges so "unbecoming" was that Otepka "provided a committee of Congress with information that was necessary to demonstrate that other officials of the Government were not telling the truth." What an offense—providing a committee of Congress with information. And information to help such a committee get at the truth.

What goes on here? Perhaps the Charleston, S.C., News and Courier has put its finger on the answer in the following editorial:

"The U.S. State Department has brought charges against Otto F. Otepka, Chief of the evaluation division of its security office, of conduct unbecoming a diplomatic officer.

"Is Mr. Otepka charged with promoting the cause of Fidel Castro? Has he a record of associating with leftwingers? Is he soft on communism? No, he is not charged with such offenses. Mr. Otepka is known as a determined foe of leftism.

"Mr. Otepka's alleged offense is that he collaborated with the Internal Security Subcommittee of the Senate Judiciary Committee. Such a charge could be brought only in the U.S. State Department. Only in the State Department would official anger be aroused by a Department member reported to be collaborating with Congress.

"If Mr. Otepka had favored the Castro regime, as was the case with William Wieland, former head of the Caribbean Division, the Department would protect him to his dying day. Mr. Wieland is still on the payroll, out of sight but protected. It is an anti-Communist official who is in hot water."

[From the Phoenix (Ariz.) Republic, Nov. 11, 1963]

SHAMEFUL OTEPKA CASE

By firing its chief security evaluations officer, the State Department decided to drive from Government service a man whose only crime is that he was both honest and conscientious. As Democratic Senator THOMAS DODD charged, the victim, Otto F. Otepka, has been treated by the State Department to "more humiliation and surveillance than anyone ever suspected of espionage or disloyalty."

Otepka, the son of an immigrant blacksmith from Czechoslovakia, is a veteran of 27 years of Government service, 10 of them with the State Department as a security expert. Throughout his Government career he consistently has received the highest ratings. In 1958 he received the State Department Meritorious Service Award. Last year he was recommended for advanced executive training in the National War College.

Now, suddenly, Otepka is charged with conduct "unbecoming an officer of the Department of State," and accused of violating rules which even first-year Government employees would be expected to know. Why?

Otepka's fall from grace is said to date back to the time when Harlan Cleveland, Assistant Secretary of State for International Affairs, appointed a number of persons with questionable security backgrounds to an advisory committee to study the staffing of Americans on international organizations. According to sworn testimony before the Senate Internal Security Subcommittee, Cleveland also inquired as to whether it would be possible to bring former Soviet spy Alger Hiss back into the Department.

Otepka, whose job it was to evaluate security information about State Department employees, was so incensed that he sent reports to his superiors, listing those persons with questionable security backgrounds whom Cleveland either brought into the State Department or was trying to obtain job clearances for.

At that Otepka himself was placed under surveillance. A secretary was assigned to intercept his "burn bag," a wastebasket for classified material, on its way to the incinerator. His telephone was tapped. Investigators examined impressions on carbon paper and typewriter ribbons found in the burn bags. And they pieced together torn-up letters.

Meanwhile, Otepka, with the approval of his superiors, testified before a Senate subcommittee investigating lax security procedures in State. Information he gave helped block the appointment to a sensitive foreign post of William Wieland, described by the Senate Internal Security Subcommittee as having been "an active apologist for Fidel Castro" who had failed to report to his superiors information about the pro-Communist nature of Castro's regime.

State Department spokesmen contradicted Otepka's testimony. So after reading transcripts of State's testimony, Otepka gave to the subcomittee's chief counsel a 39-page memorandum, complete with exhibits. The memo proved conclusively that State Department officials lied under oath in an effort to conceal evidence. Therefore, when it no longer could accuse Otepka of lying, the State Department charged him with violating a 1948 directive forbidding Congress access to loyalty files—the charge that eventually led to his dismissal.

The Otepka case is more than just a controversy between Congress and the executive branch over the right of departments and agencies to withhold information from legislators. As Senator DODD noted, the State Department in effect has issued a warning to all employes "that the giving of testimony unpalatable in the higher echelons of the Department is a crime punishable by dismissal." As such, the ruling is an affront to the Senate and to representative government.

Mr. Otepka will appeal the case, and it is scheduled to be reviewed by Secretary of State Dean Rusk and President Kennedy. But there is no doubt that the ruling will be upheld. This is unfortunate. For, as Senator DODD added, "In the topsy-turvy world of the State Department, security violations have come to mean, not trying to turn over information to an alien power, but testifying truthfully before a body of Congress."

[From the Springfield (Ohio) Sun, Nov. 12, 1963]

THE OVERSHADOWED MR. RUSK

Dean Rusk, who has established himself as anything but a contentious figure as Secretary of State, seems headed for a hot-spot over the Otto F. Otepka case.

Mr. Otepka has been dismissed as chief security evaluating officer in the State Department. He is charged with passing on confidential documents from the Department to the Senate Internal Security Subcommittee.

But Senator THOMAS J. DODD, vice chairman of the subcommittee, says that Mr. Otepka was punished because he simply testified honestly on matters relating to security in the State Department. The Senator, backed by other Members of Congress, is thundering that the dismissal of Otepka is an assault on the checks and balances of the three divisions of Federal Government.

That's the sort of talk which could lead to a congressional scalping party for Mr. Rusk. This could be a mistake, since there is no proof that Mr. Rusk has been anything but Secretary of State in name only. The man they want might just as likely be found in the Attorney General's office or some other division of the executive branch.

DEPARTMENT OF STATE,
Washington, September 23, 1963.

Mr. OTTO F. OTEPKA,
Office of Security,
Department of State.

DEAR MR. OTEPKA: This is a notice of proposed adverse action in accordance with the regulations of the Civil Service Commission.

You are hereby notified that it is proposed to remove you from your appointment with the Department of State, as supervisory personnel security specialist, GS-15, in the Office of the Deputy Assistant Secretary for Security, 30 days from the date of this letter.

On August 16, 1963, at Washington, D.C., you executed a voluntary sworn statement, dated August 15, 1963, before Carl E. Graham and Robert C. Byrnes, special agents of the Federal Bureau of Investigation. A copy of this statement is attached as exhibit A. Information contained therein will be referred to specifically in some of the charges listed below.

Furthermore, during the period March 13, 1963, to June 18, 1963, Mr. John F. Reilly, Deputy Assistant Secretary for Security, caused the following procedures to be instituted:

(a) Mrs. Joyce M. Schmelzer, secretary to Mr. Frederick W. Traband, supervisory personnel security specialist, periodically observed your classified trash bag (hereinafter referred to as "burn bag") which was in possession of your secretary, Mrs. Eunice Powers. Mrs. Schmelzer and Mrs. Powers were located in the same room and across from one another.

(b) When Mrs. Schmelzer saw that your burn bag was full, she would ask Mrs. Powers if she wanted her (Mrs. Schmelzer) to take your burn bag to a Department mail room with Mr. Traband's.

(c) When Mrs. Powers accepted Mrs. Schmelzer's offer, Mrs. Schmelzer would inform Mr. Traband of this fact. Mr. Traband would then call Mr. Rosetti, supervisory security specialist, or Mr. Shea, supervisory general investigator, if Mr. Rosetti was not available, and inform him that your burn bag was being delivered to the mail room.

(d) While carrying your burn bag and Mr. Traband's to the Mail Room, Mrs. Schmelzer would mark your burn bag with a red "X" (with a crayon or pencil mark) and deposit both burn bags in the mail room, room 3437.

(e) Mr. Rosetti or Mr. Shea, and on one occasion Mr. Robert McCarthy, supervisory security specialist, would obtain your burn bag from the mail room within 5 to 10 minutes after Mrs. Schmelzer left it there and would turn it over to Mr. Reilly or Mr. Belisle (special assistant to the Deputy Assistant Secretary for Security), in their office, Room 3811. (On one occasion when Mrs. Powers herself took your burn bag to the mail room, Messrs. Rosetti and Shea picked it up from the mail room immediately after Mrs. Powers deposited it there.) Your burn bag was then transferred to Mr. Reilly's brief case.

(f) Mr. Reilly's brief case was then taken by Mr. Shea to room 1410, 2612A or 3811 for examination of its contents. Your burn bag was inspected by Mr. Shea either alone or with Mr. Belisle and/or Mr. Rosetti.

(g) The contents of your burn bags were carefully examined. All carbon paper or copies were read by turning the carbon side toward the light thus allowing the paper to be read from the back. Torn pieces of paper were grouped together and then pieced together to make readable documents. One-time typewriter ribbons were also read on occasion.

During the course of inspecting the contents of your burn bag on May 29, 1963, a typewriter ribbon was retrieved. This ribbon has been read and the contents are reproduced as exhibit B. Information contained therein will be referred to specifically in some of the charges listed below.

1. You have conducted yourself in a manner unbecoming an officer of the Department of State:

Specifically: You furnished a copy of a classified memorandum concerning the processing of appointments of members of the Advisory Committee on International Organizations Staffing to a person outside of the Department without authority and in violation of the Presidential directive of March 13, 1948 (13 Fed. Reg. 1359). This directive provides:

"All reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business."

You were reminded of the prohibition contained in this directive on March 22, 1963, when you received and noted a copy of a letter from Mr. Dutton, Assistant Secretary of State, to Senator EASTLAND, chairman of the Senate Committee on the Judiciary, dated March 20, 1963. A copy of this letter, indicating that you "noted" it, is enclosed as exhibit C.

In your sworn statement, referred to above and enclosed as exhibit A, you stated on pages 7 and 8 that you gave a copy of a classified memorandum entitled "Francis O. Wilcox, Arthur Larson, Lawrence Finkelstein, Marshall D. Shulman, Andrew Cordier, Ernest Gross, Harding Bancroft, Sol Linowitz," to Mr. J. G. Sourwine, chief counsel, U.S. Senate Subcommittee To Investigate the Administration of the Internal Security Act and Other Internal Security Laws of the Committee on the Judiciary. This memorandum concerns the loyalty of

employees or prospective employees of the Department within the meaning of the Presidential directive of March 13, 1948.

This is a breach of the standard of conduct expected of an officer of the Department of State.

2. You have conducted yourself in a manner unbecoming an officer of the Department of State:

Specifically: You furnished a copy of a classified memorandum concerning the processing of appointments of members of the Advisory Committee on International Organizations Staffing to a person outside of the Department without authority and in violation of the Presidential directive of March 13, 1948 (13 Fed. Reg. 1359). This directive provides:

"All reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business."

You are reminded of the prohibition contained in this directive on March 22, 1963, when you received and noted a copy of a letter from Mr. Dutton, to Senator EASTLAND, dated March 20, 1963. A copy of this letter, indicating that you noted it, is enclosed as exhibit C.

In your sworn statement, referred to above and enclosed as exhibit A, you stated on page 9 that you gave a copy of a classified memorandum entitled "Processing of Appointments of Members of the Advisory Committee on International Organizations Staffing," to Mr. J. G. Sourwine. This memorandum concerns "the loyalty of employees or prospective employees" of the Department within the meaning of the Presidential directive of March 13, 1948.

This is a breach of the standard of conduct expected of an officer of the Department of State.

3. You have conducted yourself in a manner unbecoming an officer of the Department of State:

Specifically: You furnished a copy of an investigative report concerning a prospective employee of the Department to a person outside of the Department without authority and in violation of the Presidential directive of March 13, 1948 (13 Fed. Reg. 1359). This directive provides:

"All reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business."

You were reminded of the prohibition contained in this directive on March 22, 1963, when you received and noted a copy of a letter from Mr. Dutton, to Senator EASTLAND, dated March 20, 1963. A copy of this letter, indicating that you noted it, is enclosed as exhibit C.

In your sworn statement, referred to above and enclosed as exhibit A, you stated on page 10 that you gave a copy of an investigative report dated May 27, 1960, to Mr. J. G. Sourwine, concerning Joan Mae Fogltanz. This report concerns "the loyalty of employees or prospective employees" of the Department within the meaning of the Presidential directive of March 13, 1948.

This is a breach of the standard of conduct expected of an officer of the Department of State.

4. You have been responsible for the declassification of a classified document containing classified information without following the procedures set forth in volume 5, section 1970, et seq., of the Department's Foreign Affairs manual as supplemented by FAMC 102, dated January 30, 1963. This document, which was classified confidential, was addressed to Mr. McGeorge Bundy, the White House, and was signed by Mr. William H. Brubeck, special assistant to the Secretary and Executive Secretary of the Department:

Specifically: On June 18, 1963, the Xeroxed copies of the tops and bottoms of the pages of the aforementioned document were retrieved from your burn bag. This burn bag was obtained from the mail room in accordance with the procedure outlined above. These tops and bottoms had been cut from a Xeroxed copy of the Brubeck document and have been matched with a complete copy for identification purposes.

The act of cutting the classification indicators from a copy of a document declassified that copy of the document. Exhibit D is a statement from Messrs. Belisle, Rosetti, and Shea, attesting to the fact that they have identified these clippings as having come from the classified document referred to above.

5. You have been responsible for the mutilation of a classified document in violation of 18 U.S.C. 2071, which provides:

"(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined not more than $2,000 or imprisoned not more than three years, or both.

"(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined not more than $2,000 or imprisoned not more than 3 years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. (June 25, 1948, ch. 645, 62 Stat. 795.)"

This document, which was classified confidential, was addressed to Mr. McGeorge Bundy, the White House, and was signed by Mr. William H. Brubeck.

Specifically: On June 18, 1963, the Xeroxed copies of the tops and bottoms of the pages of the aforementioned document were retrieved from your burn bag. This burn bag was obtained from the mail room in accordance with the procedure outlined above. These tops and bottoms had been cut from a Xeroxed copy of the Brubeck document and have been matched with a complete copy for identification purposes.

The act of cutting the classification indicators from a document "mutilates" that document within the meaning of 18 U.S.C. 2071. Exhibit D is a statement from Messrs. Belisle, Rosetti and Shea, attesting to the fact that they have identified these clippings as having come from the classified document referred to above.

6. You have been responsible for the declassification of a classified document containing classified information without following the procedures set forth in volume 5, section 1970, et seq. of the Department's Foreign Affairs manual as supplemented by FAMC 102, dated January 30, 1963. This document, which was classified confidential, was addressed to SY—Mr. Belisle from SY/EX—Mr. John Noonan, supervisory security specialist, and was on the subject "Security meeting".

Specifically: On June 18, 1963, a Thermo-Faxed copy of the tops and bottoms of the pages of the aforementioned document was retrieved from your burn bag. This burn bag was obtained from the mail room in accordance with the procedure outlined above. These tops and bottoms had been cut from a Thermo-Faxed copy of the document and they have been matched with a complete copy for identification purposes.

The act of cutting the classification indicators from a copy of a document declassified that copy of the document. Exhibit D is a statement from Messrs. Shea, Belisle and Rosetti, attesting to the fact that they have identified these clippings as having come from the classified document referred to above.

7. You have been responsible for the mutilation of a classified document in violation of 18 U.S.C. 2071, which provides:

"(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined not more than $2,000 or imprisoned not more than three years, or both.

"(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined not more than $2,000 or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. (June 25, 1948, ch. 645, 62 Stat. 795.)"

This document, which was classified confidential, was addressed to SY—Mr. Belisle from SY/EX—Mr. John Noonan, and was on the subject "Security meeting".

Specifically: On June 18, 1963, a Thermo-Faxed copy of the tops and bottoms of the pages of the aforementioned document was retrieved from your burn bag. This burn bag was obtained from the mailroom in accordance with the procedure outlined above. These tops and bottoms had been cut from a Thermo-Faxed copy of the document and they have been matched with a complete copy for identification purposes.

The act of cutting the classification indicators from a document mutilates that document within the meaning of 18 United States Code 2071. Exhibit D is a statement from Messrs. Shea, Belisle, and Rosetti, attesting to the fact that they have identified these clippings as having come from the classified document referred to above.

8. You have been responsible for the declassification of a classified document containing classified information without following the procedures set forth in volume 5, section 1970, et seq. of the Department's Foreign Affairs manual as supplemented by FAMC 102, dated January 30, 1963. This document which was classified confidential was, addressed to you from Messrs. Traband and Levy (supervisory personnel security specialist), and on the subject "SY Evaluative Services to ARA and OIA."

Specifically: On June 18, 1963, a Xeroxed copy of the tops and bottoms of the pages of the aforementioned document was retrieved from your burn bag. This burn bag was obtained from the mailroom in accordance with the procedure outlined above. These tops and bottoms had been cut from a Xeroxed copy of the subject document and have been matched with a complete copy for identification purposes.

The act of cutting the classification indicators from a copy of a document, declassified that copy of the document. Exhibit D is a statement from Messrs. Shea, Belisle, and Rosetti, attesting to the fact that they have identified these clippings as having come from the classified document referred to above.

9. You have been responsible for the mutilation of a classified document in violation of 18 U.S.C. 2071, which provides:

"(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or

other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined not more than $2,000 or imprisoned not more than 3 years, or both.

"(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined not more than $2,000 or imprisoned not more than 3 years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. (June 25, 1948, ch. 645, 62 Stat. 795.)"

This document, which was classified Confidential, was addressed to you from Messrs. Traband and Levy, and was on the subject "SY Evaluative Services to ARA and OIA."

Specifically: On June 18, 1963, a Xeroxed copy of the tops and bottoms of the pages of the aforementioned document was retrieved from your burn bag. This burn bag was obtained from the mailroom in accordance with the procedure outlined above. These tops and bottoms had been cut from a Xeroxed copy of the subject document and have been matched with a complete copy for identification purposes.

The act of cutting the classification indicators from a document "mutilates" that document within the meaning of 18 U.S.C. 2071. Exhibit D is a statement from Messrs. Shea, Belisle, and Rosetti attesting to the fact that they have identified these clippings as having come from the classified document referred to above.

10. You have been responsible for the declassification of a classified document containing classified information without following the procedures set forth in volume 5, section 1970, et seq. of the Department's Foreign Affairs manual as supplemented by FAMC 102, dated January 30, 1963. This document, which was classified confidential, was drafted by ARA/RPA: JMBarta (international relations officer), and concerned the procedure for reviewing and disposing of adverse information on employees of International Organizations dealing with Inter-American Affairs:

Specifically: On June 18, 1963, a Xeroxed copy of the tops and bottoms of the pages of the aforementioned document was retrieved from your burn bag. This burn bag was obtained from the mailroom in accordance with the procedure outlined above. These tops and bottoms which were cut from a Xeroxed copy of the Barta document, have been matched with a complete copy for identification purposes.

The act of cutting the classification indicators from a copy of a document declassified that copy of the document. Exhibit D is a statement from Messrs. Shea, Belisle, and Rosetti, attesting to the fact that they have identified these clippings as having come from the classified document referred to above.

11. You have been responsible for the mutilation of a classified document in violation of 18 U.S.C. 2071, which provides:

"(a) Whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined not more than $2,000 or imprisoned not more than 3 years, or both.

"(b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined not more than $2,000 or imprisoned not more than 3 years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. (June 25, 1948, ch. 645, 62 Stat. 795.)"

This document, which was classified confidential was drafted by ARA/RPA: JMBarta, and concerned the procedure for reviewing and disposing of adverse information on employees of international organizations dealing with inter-American affairs.

Specifically: On June 18, 1963, a Xeroxed copy of the tops and bottoms of the pages of the aforementioned document was retrieved from your burn bag. This burn bag was obtained from the mailroom in accordance with the procedure outlined above. These tops and bottoms which were cut from a Xeroxed copy of the Barta document, have been matched with a complete copy for identification purposes.

The act of cutting the classification indicators from a document "mutilates" that document within the meaning of 18 U.S.C. 2071. Exhibit D is a statement from Messrs. Shea, Belisle and Rosetti, attesting to the fact that they have identified these clippings as having come from the classified document referred to above.

12. You have conducted yourself in a manner unbecoming an officer of the Department of State:

Specifically: On March 19, 1963, carbon paper consisting of seven pages was recovered from your burn bag. This burn bag was obtained by Mr. Rosetti from the mail room after it had been placed there in accordance with the procedure outlined above. The burn bag was inspected and carbon paper recovered from it by Mr. Shea. Mr. Rosetti's signed statement regarding this incident is enclosed as exhibit E. Mr. Shea's statement is enclosed as exhibit F. The carbon paper has been reproduced and copies thereof are attached as exhibit G. This carbon paper contains questions which you prepared and furnished to a person or persons outside the Department for the use of Mr. J. G. Sourwine, in the interrogation of Mr. Reilly. Mr. Sourwine subsequently asked these questions of Mr. Reilly when he appeared before the U.S. Senate Subcommittee To Investigate the Administration of the Internal Security Act and Other Internal Security Laws, of the Committee on the Judiciary. Mr. Reilly's signed statement is enclosed as exhibit H.

This is a breach of the standard of conduct expected of an officer of the Department of State:

13. You have conducted yourself in a manner unbecoming an officer of the Department of State:

Specifically: On June 10, 1963, a one-time typewriter ribbon was recovered from your burn bag. This burn bag was obtained by Mr. Rosetti from the mailroom after it had been placed there in accordance with the procedure outlined above. Mr. Rosetti's signed statement regarding this incident is enclosed as exhibit I. This type writer ribbon has been read and the contents are reproduced as exhibit J. The ribbon contained 24 questions which you prepared and furnished to a person or persons outside the Department for the use of Mr. J. G. Sourwine in the interrogation of Mr. Belisle. Mr. Sourwine subsequently asked 15 of these questions of Mr. Belisle when he appeared before the U.S. Senate Subcommittee To Investigate the Administration of the Internal Security Act and Other Internal Security Laws, of the Committee on the Judiciary. Mr. Belisle's signed statement is enclosed as exhibit K.

This is a breach of the standard of conduct expected of an officer of the Department of State.

Copies of the memoranda and documents referred to in the charges which are classified and concern "the loyalty of employees or prospective employees" of the Department are available for inspection by you and your attorney upon request to Mr. John W. Drew, Jr., of my staff, in room 2239.

You are hereby given 10 days from the date of this letter to answer these charges. You may reply both personally and in writing if you so desire. Any written reply you wish to make should be addressed to my attention. You may furnish affidavits or other evidence in support of your reply if you so desire. If you wish to make an oral reply you may call Mr. Drew, extension 6251, for an appointment.

As soon as possible, after your answer is received, or after the expiration of the 10-day limit, if you do not answer, a written decision will be issued to you.

During the 30-day notice period to which you are entitled, you will remain in an active duty status at your present grade and salary.

Sincerely yours,

JOHN ORDWAY,
Chief, Personnel Operations Division.

WHEATON, MD., *October 14, 1963.*

Hon. JOHN ORDWAY,
Chief, Personnel Operations Division,
Department of State,
Washington, D.C.

DEAR MR. ORDWAY: This is my answer to the charges preferred against me by your letter of September 23, 1963.

CHARGE 1 AND CHARGE 2

Before turning to the specific charges, a general statement of the background of this entire matter is in order.

I have been an employee of the U.S. Government for 27 years. From 1936 until 1942 I occupied minor positions in the Farm Credit Administration and the Bureau of Internal Revenue, and for 3 years during that period attended law school. In 1942 I was appointed an investigator and security officer with the U.S. Civil Service Commission. I served in that capacity until 1943, when I entered the U.S. Navy as an apprentice seaman. I served in the Navy from 1943 until 1946, being discharged with the grade of petty officer first class. Returning to the Civil Service Commission in 1946, I served there as an investigator and security officer until 1953 when I came to the Department of State as a security officer. I have been with the Department ever since 1953.

My efficiency ratings at the Civil Service Commission for the years 1948–53 were all "excellent," the highest ratings attainable under the system then in effect. During my service in the Department of State, all of my efficiency reports have been highly favorable. For example, for the year 1959–60, when I served as Deputy Director of the Office of Security, my efficiency report contained the following comment by the Director of that office, Mr. Boswell:

"He has had long experience with and has acquired an extremely broad knowledge of laws, regulations, rules, criteria and procedures in the field of personnel security. He is knowledgeable of communism and of its subversive efforts in the United States. To this, he adds perspective, balance, and good judgment, presenting his recommendations and decisions in clear, well-reasoned, and meticulously drafted documents. He has brought these attributes to bear during periods totaling almost 4 months when he has been Acting Director in my absence and throughout the rating period as the State Department representative on an intragovernmental committee concerned with security matters."

In April 1958, I received a meritorious service award signed by Secretary of State John Foster Dulles for sustained and meritorious accomplishment in the discharge of my assigned duties. The justification for this award included the following statement: "He has shown himself consistently

to be capable of sound, independent judgment, creative work, and the acceptance of unusual responsibility."

It may be noted that I have received no efficiency report since September 1960, although the regulations require that each employee receive such a report annually, and I have on several occasions requested my superiors to give me my efficiency reports. However, until recently none of my superiors ever complained to me about my performance of duty.

Beginning in November 1961, an investigation into certain security practices of the Department of State was conducted by the Internal Security Subcommittee of the Committee on the Judiciary of the U.S. Senate. I first appeared before that committee at its request and with the express permission of the Department of State, together with two other members of the Bureau of Security and Consular Affairs. I responded to the questions of Mr. J. G. Sourwine, the subcommittee's chief counsel, frankly and truthfully to the best of my knowledge and ability. Subsequently, in April 1962 I reappeared before the subcommittee also at the committee's request and with the permission of my superiors. Also appearing at or about that time were my superiors. In October 1962, the committee publicly released the transcripts of my testimony and that of other Department of State personnel, together with a report of the committee containing the committee's conclusions and recommendations with respect to the security practices and procedures of the Department of State.

Beginning in February 1963, and during March 1963, I appeared on four occasions before the same subcommittee in accordance with its request and with the knowledge of my superiors. I was given to understand that the committee was seeking to ascertain from the Department of State whether or not the Department had implemented the committee's recommendations to improve certain security practices found by the committee to be deficient. During April and May 1963, my immediate superior, Mr. John F. Reilly, testified before the committee on five occasions. Prior to his first appearance, and at his request, I obtained from Mr. Sourwine the stenographic transcripts of my testimony of February and March 1963, and I furnished those transcripts to Mr. Reilly. Mr. Reilly indicated to me he had not read my transcripts before. I do not know the reason why, as the transcripts had been available to him through regular Department channels.

Following the appearance of Mr. Reilly, he came to my office and informed me that Senator THOMAS F. DODD, the presiding chairman of the subcommittee, had given him, Mr. Reilly, "a bad time" on that day. Mr. Reilly related to me that he had told the subcommittee that I had voluntarily disqualified myself from the evaluation of the case of William A. Wieland. Mr. Reilly asked if I could "straighten out" Mr. DODD on this matter. I said I did not know Mr. DODD but were I to be again questioned by the subcommittee I would be very happy to state for the record what had transpired between me and Mr. Reilly when on a prior occasion he discussed with me, at his request, my future role in the reevaluation of the Wieland case.

Following the conclusion of Mr. Reilly's testimony, Mr. J. G. Sourwine, the chief counsel of the subcommittee, requested that I come to see him, which I did, after working hours on the day of his request. To the best of my recollection this was on May 23, 1963. Mr. Sourwine voluntarily informed me that there were conflicts between my testimony and the testimony of Mr. Reilly. He offered to let me read the stenographic transcripts of Mr. Reilly's testimony and said that when I had done so, I should give him a memorandum that would answer point by point all of those portions of Mr. Reilly's testimony which conflicted with my testimony or which I found inaccurate or untrue. After carefully reading the transcripts of Mr. Reilly's testimony I was both shocked and amazed. I therefore prepared a memorandum consisting of 39 double-spaced pages annotated by exhibits, and I furnished a copy of this memorandum to Mr. Sourwine together with copies of the exhibits mentioned therein. This memorandum was furnished to Mr. Sourwine as the chief counsel and authorized representative of the subcommittee. It was intended to serve as my reference in rebuttal, explanation, or clarification of statements made by Mr. Reilly, in any future appearance I made before the committee. I was told that I would be recalled to testify again before the committee.

I was especially disturbed by two statements made by Mr. Reilly in his testimony which was shown to me by Mr. Sourwine. First, Mr. Reilly testified, concerning eight prospective appointees to the Advisory Committee on International Organizations, that there was no substantial derogatory information respecting any of the prospective appointees, and that the case of only one of them had even been brought to his attention prior to their appointment. This testimony I knew to be incorrect, for on September 10, 1962, before the appointments were made, I had submitted to him a memorandum with respect to each of the individuals in question. This memorandum strongly recommended that certain of the prospective appointees not be cleared without further investigation. On September 17, 1962, Mr. Reilly himself directed a memorandum to Mr. George M. Czayo in the office of Mr. Harland Cleveland with respect to these cases, and this document reflected that Mr. Reilly was familiar with my memorandum of September 10.

I gave to Mr. Sourwine a copy of my memorandum of September 10, 1962, and a copy of Mr. Reilly's memorandum of September 17, 1962. While these documents were classified "confidential"—the one of September 10 having been classified by me—they contained no investigative data. The only substantive data contained in my memorandum of September 10 consisted of references to certain matters which had been mentioned in published reports or hearings of the Senate Internal Security Subcommittee or which were otherwise in the public domain. The Reilly memorandum of September 17 contained no substantive data whatever with respect to the prospective appointees, but related for the most part to the procedural steps involved in their clearance.

Charge 1 in your letter is based upon my action in giving a copy of my memorandum of September 10, 1962, to Mr. Sourwine. Charge 2 related to my action in giving Mr. Sourwine a copy of Mr. Reilly's memorandum of September 17, 1962. You allege that my actions were in violation of the Presidential directive of March 13, 1948 (12 Fed. Reg. 1359) which forbids the disclosure, except as required in the efficient conduct of business, of "reports, records, and files relative to the loyalty of employees or prospective employees."

It is a familiar rule that regulations, like statutes, must be interpreted with commonsense, that a thing may be within the letter of a regulation and yet not within the regulation, because not within its spirit, nor within the intention of its makers. This has been the law for centuries. Poffendof mentions the judgment that the Bolognian law which enacted "that whoever drew blood in the streets should be punished with the utmost severity," did not extend to the surgeon who opened the vein of a person that fell down in a street in a fit. Plowden cites the ruling that the statute of 1st Edward II, which enacts "that a prisoner who breaks prison shall be guilty of a felony," does not extend to a prisoner who breaks out of prison when the prison is on fire "for he is not to be hanged because he would not stay to be burnt." See *Church of the Holy Trinity* v. *United States*, 143 U.S. 457.

Applying this doctrine to the present case, and assuming without conceding that the memoranda of September 10 and September 17, 1962, fell within the letter of the Presidential directive of March 13, 1948, I submit that those memorandums were not within the spirit of the directive nor within the intention of its author. As President Truman stated in his letter to the Secretary of State, dated April 2, 1952, the purpose of the directive was "to preserve the confidential character and sources of information, to protect Government personnel against the dissemination of unfounded or disproved allegations, and to insure the fair and just disposition of loyalty cases." The memoranda of September 10 and September 17, 1962 referred to no confidential information, disclosed no confidential sources, and made no allegations. My memorandum of September 10, 1962, merely referred to matters of public record and recommended that these matters should be investigated. There was no loyalty case, pending or contemplated, involving any of the individuals mentioned. In short, in the context of the Presidential directive of March 13, 1948, the two memorandums were completely innocuous and clearly not the kind of papers that the directive was designed to protect.

My interpretation of the Presidential directive of March 13, 1948, is apparently in harmony with the interpretation placed upon the directive by Secretary of State Rusk. Thus, the statement of Senator THOMAS J. DODD, appended to the report of the Senate Subcommittee on Internal Security in the matter of State Department security, published in 1962, contains the following:

"Subsequent to the preparation of this report, I had occasion to discuss the Wieland case with Secretary Rusk and to examine certain documents which he showed me in confidence.

"On the basis of these conversations, I am satisfied that, prior to September 15, 1961, Secretary of State Rusk had examined the material pertaining to the Wieland case in considerable detail, including reports of the Federal Bureau of Investigation."

See Senate report, State Department Security, "The Case of William Wieland, etc., 87th Congress, 2d session—page 197. The intendment of Senator DODD's statement is that Secretary Rusk disclosed to him documents from the security file of Mr. Wieland, in order to establish that the Secretary did examine this material prior to September 15, 1961. It seems obvious that, in the judgment of Secretary Rusk, a reasonable and commonsense interpretation of the Presidential directive did not prevent the disclosure of the security material to Senator DODD. If it was proper for Secretary Rusk to show such material to a member of the Internal Security Subcommittee, then it was proper for me to disclose the innocuous memoranda of September 10 and September 17, 1962, to an authorized agent of that subcommittee, in order that the committee might know the truth and to refute unwarranted and scandalous charges against me and my record.

Mr. Reilly's testimony that the cases of the prospective appointees had not been brought to his attention seriously disparaged my performance of duty and impugned my integrity. In other words, had I failed to bring such matters to his attention, I would have been guilty of a dereliction of duty. In this context, I submit that I had not only the right but the duty to defend myself, to correct the committee record, and to support my oral testimony by the memoranda of September 10 and September 17, 1962.

The provisions of the United States Code, title 5, section 652(d) plainly gave me the

right to respond to the request of the Senate committee and to answer Mr. Reilly's attacks upon me. That statute provides:

"(d) The right of persons employed in the civil service of the United States, either individually or collectively, to petition Congress, or any Member thereof, or to furnish information to either House of Congress or to any committee or member thereof, shall not be denied or interfered with. As amended June 10, 1948, c. 447, 62 Stat. 354; 1949 Reorg. Plan No. 5, eff. Aug. 19, 1949, 14 F.R. 5227, 63 Stat. 1067".

If the provisions of the directive are construed to prohibit the disclosure by me of the memoranda here involved, under the circumstances of this case, then I submit the directive is in violation of the statute.

It must be emphasized always that I gave the memoranda in question to Mr. Sourwine, not as an individual, but as the authorized agent of a committee of the U.S. Senate; and I gave them to him only to be used as exhibits in connection with my forthcoming testimony before that committee in executive session.

CHARGE 3

Charge 3 alleges that in violation of the Presidential directive of March 13, 1948, I furnished to Mr. J. G. Sourwine a copy of an investigative report dated May 27, 1960, concerning Joan Mae Fogltanz.

My answer to charges 1 and 2 is in large part applicable to charge 3 and I adopt it as part of my answer to charge 3.

Specifically, the facts relating to and justfying my delivery of a copy of the Fogltanz report to Mr. Sourwine are as follows: In his testimony before the committee Mr. Reilly swore that in a memorandum dated October 29, 1962, I had made certain recommendations for the improvement of the organization and operation of the Division of Evaluations; and that I thereafter complained when the very changes I had recommended were put into effect. He produced a copy of my memorandum of October 29, 1962, introduced it into the committee record, and discussed it in detail. Furthermore, he said that my "recanting" of that memorandum caused him to question my integrity and my emotional balance. This was the second statement by Mr. Reilly that disturbed me.

One specific recommendation which Mr. Reilly claimed I had repudiated was my recommendation that "short-form reporting" be used in the case of certain applicants for employment. By short-form reporting I meant a procedure whereby investigative reports on applicants for minor clerical positions which were entirely favorable would be condensed and summarized eliminating long and repetitious endorsements and descriptive statements. I recommended that such short-form reporting be used only in cases of applicants for positions in grade GS-4 or lower. After receiving my memorandum and contrary to my recommendation, Mr. Reilly ordered that short-form reporting should be used for all reports of investigation, including reports on prospective appointees to high office in the Department. Since Mr. Reilly's order was not in accordance with my recommendation, I respectfully opposed it.

In view of Mr. Reilly's testimony, it was necessary for me to explain to the committee the matter of short-form reporting and my consistent position on the subject. It was in this connection and for this purpose alone that I gave Mr. Sourwine, as the agent of the subcommittee, the Fogltanz report. This report was marked "Official use only." The report, relating to an applicant for a minor clerical position in the Department of State, consisted of five and a half single-spaced typewritten pages and reflected interviews with a large number of people. All of those interviews attested that Miss Fogltanz was a young lady of splendid character, a loyal American, moral, religious, and in every way suitable and qualified for appointment. In short the report was completely favorable and completely innocuous. I gave the report to the subcommittee as a striking example of the needless repetition and prolixity which my recommendation for short-form reporting was intended to eliminate. Along with this report, I also presented an example of the same material digested in a short-form report. My purpose and my only purpose, was to explain the recommendation I had made to Mr. Reilly and to make it clear that I had not deviated from that recommendation.

All that I have said in my discussion of charges 1 and 2, to demonstrate that the memoranda involved in those charges were not within the scope of the Presidential directive of March 13, 1948, applied with even greater force to the innocuous Fogltanz report.

CHARGES 4–11

Charge 4 alleges that I was "responsible for the declassification of a classified document" by cutting the classification indicators from the tops and bottoms of the pages of a Xeroxed copy of the document.[1] It is alleged that the severed tops and bottoms of the pages were found in my burn bag on June 18, 1963. It is charged that such declassification violated various sections of the Department's "Foreign Affairs Manual." Charges 6, 8, and 10 made similar charges with respect to the Xeroxed or Thermo-Faxed copies of other documents, it being alleged in each instance that the severed tops and the bottoms were recovered from my burn bag.

Charges 5, 7, 9, and 11 relate to the same Xeroxed or Thermo-Faxed copies and the same clippings referred to in charges 4, 6, 8, and 10. It is alleged that I was "responsible" for the clipping of these documents, and that such clipping constituted a "mutilation" of the documents in violation of 18 U.S.C. 2071, relating to the mutilation of official documents and records.

By letter of October 4, 1963, my counsel requested you to specify the particular manner in which it is claimed that I failed to follow required declassification procedures as alleged in charges 4, 6, 8, and 10. He also requested you to advise whether or not it is charged that I personally clipped the documents, and if not, then who is alleged to have done the clipping. By your letter of October 8, 1963, you responded to the first question by stating only that "The methods by which the classified documents in question were declassified are not authorized by the above-cited reference" (to the Department's "Foreign Affairs Manual"). This response of course does not answer the question. Answering the second question you stated that it is not charged that I personally declassified or mutilated the documents. You did not respond at all to the request for specific information as to who is alleged to have done the clipping or mutilation.

In the absence of the specific information requested by my counsel's letter of October 4, 1963, these charges are defective. I do not waive this point.

Turning to the facts, the allegations contained in charges 4–11 inclusive can be answered in a few words. I did not clip the documents in question. I was not responsible for the clipping directly, or indirectly. I do not know who did it, or why, or who placed the clippings in my burn bag—assuming that they were there. In short, I had absolutely nothing to do with clipping these papers and know nothing about it.

What has been said is a full and complete answer to the charges of clipping and mutilation. It may be appropriate, however, to point out the flimsy nature of the circumstantial evidence upon which these accusations against me are based. You apparently rely upon the theory of guilt by association with my burn bag. The facts are that there were three burn bags and three secetaries in the reception area where my burn bag was located. The secretaries sat within a few feet of each other and there was a burn bag beside the desk of each secretary. There was no rule or custom that trash from the office of each official would be deposited only in his burn bag; on the contrary, trash might be thrown into whichever burn bag was the most convenient. It follows that even if the clippings here involved were found in my burn bag this does not demonstrate that they came from my office or had any connection with me. In other words, the presence of such clippings in my burn bag is entirely consistent with the hypothesis that they came from one of the other two offices in the suite. It should be added that both Mr. Traband and Mr. Levy had copies of the documents in question.

Further analyzing the circumstantial evidence, it is significant that one page of the four-page document involved in charges 4 and 5 and one page of the two-page document involved in charges 6 and 7 were not clipped at all. If the purpose of whoever clipped the documents was to declassify them by removing the classification indicators, it is singular that the indicators on these pages were left untouched.

As I have said, I do not know who clipped the documents in question. You have not answered the request of my counsel for specific information as to who is alleged to have done the clipping. Were I permitted to examine my burn bags and their contents, referred to in your letter, I might be able to reach some conclusion on this point; however, you have denied my counsel's request, by his letter of October 8, 1963, that we be permitted to examine the burn bags and their contents. I must say, with great respect, that your ruling is puzzling, especially since it is alleged that the contents of the burn bags came from me, and since the Department of State in the case of John Stewart Service permitted him and his counsel to examine all documents and papers in the files which were prepared by him or in connection with the missions on which he served, which might be material to his defense.

Finally, it should be noted that 18 U.S.C. 2071, relating to the mutilation of records and documents, furnishes no support for your charges. It is plain on the face of this statute that it is intended to prohibit, and does prohibit, only the mutilation or destruction of record or file copies. The statute by its terms relates to papers "filed or deposited * * * in any public office, or with any * * * public officer of the United States." It has no application to work papers or working copies which of course may be destroyed when they have served their purpose. If this were not so, there would be little need for trash baskets and burn bags. In this connection, you are of course familiar with the departmental rule that unneeded copies shall be destroyed by tearing them and depositing them in a burn bag for classified trash.

CHARGE 12 AND CHARGE 13

Charges 12 and 13 allege that I furnished to Mr. Sourwine certain questions, to be asked of Mr. Reilly and Mr. Belisle when they testified before the Senate subcommittee. It is charged that my action in furnishing these questions "is a breach of the standard of conduct expected of an officer of the Department of State."

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[1] The charge alleges that the document in question was signed by Mr. William H. Brubeck. The document exhibited to me and my counsel by your office, as a copy of the one referred to in the charge, is signed "J. T. Rogers, for William H. Brubeck." The inaccuracy is of course unimportant.

By his letter of October 4, 1963, my counsel asked that you specify the regulation alleged to have been violated by my conduct, which is the basis of charges 12 and 13. In your letter of October 8, 1963, you responded that "no allegation is made that the conduct of Mr. Otepka referred to in charges 12 and 13 violated a specific Department of State regulation." It thus appears that my conduct is to be judged under some vague and amorphous standard, setting out no objective guidelines, but existing only in the minds of my superiors, and subject to change according to their notions or whims of the moment. Such a standard, I submit, does not meet the fundamental requirements of fairness and due process, nor does a charge based upon such a standard fulfill those requirements.

The vagueness of the standard of conduct to which you refer and the need for a more precise definition and explanation of that standard are well illustrated by the facts of this case. In addition to the surveillance of my activities disclosed by your letter, I have reason to believe that in recent months employees of the Department of State have secretly employed listening devices to eavesdrop on conversations in my office. I have reason to believe that my office telephone has been tapped and that my desk and my safe have been surreptitiously opened and searched. These things have been done with the knowledge and approval of my superiors, if not by their express direction. They were done in the absence of any effort whatever to secure from me, by direct and open means, the information which was desired and which I would have been glad to furnish. When the Department of State approves such conduct and adopts such methods the meaning of your phrase "the standard of conduct expected of an officer of the Department" becomes lost in obscurity.

Turning to the factual allegations of charges 12 and 13, it is true that I furnished to Mr. Sourwine, as the chief counsel and authorized representative of the Senate subcommittee, questions to be put to Mr. Reilly and Mr. Belisle when they testified before the committee. Some of these questions are reflected in the exhibits attached to your letter, although in many instances they have been garbled in transcription.

My action in furnishing these questions to Mr. Sourwine was clearly within the protection of 5 United States Code, section 652(d), quoted above on page 6.

Whatever the standard of conduct expected of an officer of the Department of State may be, it is my conviction that any standard of conduct worthy of the name demands honesty and integrity. Certainly honesty and integrity are the fundamental tenets of my personal standard of conduct. Consistently with this belief, I hold that when one is called upon to speak he must speak the whole truth; he must not attempt to pervert or suppress the truth by concealment, evasion, half-truths, or misleading silence. I believe that every man has the right to defend himself against false accusations. I believe in the Code of Ethics for Government Service, expressed in the House concurrent resolution agreed to on July 11, 1958, and promulgated by the U.S. Civil Service Commission in departmental Circular 982 on December 2, 1958. That code states that "any person in Government service should put loyalty to the highest moral principles and to country above loyalty to persons, party, or Government department." When I appeared as a witness before the Senate subcommittee I, of course, had this credo in mind. I believed then and I believe now that it was my duty to tell the committee the whole truth. By the same token, I believed then and I believe now that I would have been derelict in my duty, if by my silence I had permitted untrue and inaccurate statements, of which I had personal knowledge, to remain unchallenged in the committee record, or if I had otherwise failed to give the committee my full cooperation in its search for the truth. It was and is my understanding that it was my duty to assist the committee to develop the truth, and it was for this purpose, and for this purpose alone, that I cooperated with the committee counsel by suggesting to him fair, proper, and impersonal questions designed to bring the truth to light. It is difficult to understand why the Department and the witnesses did not welcome such questions. In any event, I cannot believe that my action was a breach of any standard of conduct properly expected of an officer of the Department of State.

I submit that the charges against me are without foundation and should be dismissed.

Very respectfully,

OTTO F. OTEPKA.

I, Otto F. Otepka, being first duly sworn depose and say that I have read the foregoing answer subscribed by me and know the contents thereof; that the matters and things stated therein as of my personal knowledge are true and those stated upon information and belief I verily believe to be true.

OTTO F. OTEPKA.

Subscribed and sworn to before me this 14th day of October 1963.

(Signed) CHARLOTTE D. KIMBALL,
Notary Public, District of Columbia.
My commission expires August 14, 1968.

DEPARTMENT OF STATE,
Washington, November 5, 1963.

Mr. OTTO F. OTEPKA,
Office of Security,
Department of State.

DEAR MR. OTEPKA: On September 23, 1963, you were notified of 13 charges on the basis of which it was proposed to remove you from your appointment as supervisory personnel security specialist, GS-15, in the Office of the Deputy Assistant Secretary for Security in the Department of State. Your written reply, dated October 14, 1963, has been carefully considered. As you know, you did not request an opportunity to make an oral reply. I find that you have not refuted the charges set forth in my letter of September 23, 1963.

Charges 1 and 2 allege that you gave copies of classified memoranda relating to the loyalty of prospective employees of the Department of State to a person outside the Department without authority and in violation of the Presidential directive of March 13, 1948. Charge 3 alleges that you gave a copy of an investigative report concerning a prospective employee of the Department to a person outside of the Department without authority and in violation of the Presidential directive.

In your reply you admit giving these documents to Mr. J. G. Sourwine, chief counsel of the Internal Security Subcommittee of the Senate Judiciary Committee. You argue, in defense, that the Presidential directive, properly construed, does not apply to the documents in question because the memoranda contained no investigative data and no substantive data that was not in the public domain and the investigative report was completely favorable and innocuous.

The Presidential directive provides that:

"All reports, records and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business.

"Any * * * request for information, reports, or files of the nature described * * * shall be respectfully declined, on the basis of this directive, and the * * * request shall be referred to the Office of the President for such response as the President may determine to be in the public interest in the particular case. There shall be no relaxation of the provisions of this directive except with my express authority."

The directive recognizes that, because of the nature of the material they contain, reports, records, and files relative to loyalty of Government employees and prospective employees must be specially safeguarded. Only in this way can the personnel loyalty-security program be carried out with appropriate regard for both national security and individual rights. The directive does not prohibit the disclosure of such information absolutely, but provides a special procedure for determining whether it is in the public interest that such information be disclosed. Under the procedure, that determination is made by the President, to assure that all relevant considerations will be taken into account and given proper weight. The directive thus removes from the purview of the individual employee's judgment the many questions that may arise—whether the source of the information must be protected; whether the information is substantive in character; whether it is innocuous; whether a proposed disclosure is accompanied by adequate safeguards; in sum, whether a particular report or record contains information that should not be disclosed in the circumstances.

Accordingly, the only relevant question is whether the documents were "relative to the loyalty of employees or prospective employees." Of the documents you gave to Mr. Sourwine, the September 10, memorandum specifically deals with the loyalty of prospective employees and, in fact, contains at least two statements clearly based on information contained in investigative reports. The September 17 memorandum specifically refers to loyalty matters with respect to the prospective employees. The third document is an investigative report and is thus of a class expressly named in the directive. The documents thus fall within the classes of papers protected by the directive.

You also contend that the memorandums and the investigative report were furnished to Mr. Sourwine to correct inaccurate testimony of your superior, Mr. Reilly, and that under 5 U.S.C. 652(d), dealing with the right of persons employed in the civil service to furnish information to or petition Congress, you were free to give the documents to Mr. Sourwine in spite of the Presidential directive.

I cannot agree with this position. No organization, especially a large one like the Department of State, could function if subordinate officers disregarded established procedures as they chose. As you know, there are a number of such procedures by which you could have brought your disagreement with Mr. Reilly to the attention of superior officers in the Department. In addition, you could have sought the opportunity to testify again before the subcommittee to make any necessary clarifications. If you believed disclosure of papers relative to the loyalty of employees or prospective employees was necessary, the procedure prescribed in the Presidential directive was available.

Title 5 U.S.C. 652(d), is not designed to permit employees to short cut such procedures. The question of the scope of that section was raised during the Senate select committee hearings concerning censure charges against the late Senator McCarthy. It was argued that under the statute "no qualifications or restrictions are imposed upon the right of Federal employees to take up matters with and give information to Members and committees of the Congress of the United States." This interpretation was rejected by the select committee. It concluded that the section does no more than "affirm that Federal employees do not lose or forfeit their rights merely by virtue of their Federal employment." An employee does not forfeit his rights when he complies with reasonable and orderly procedures for the exercise of those

rights. The committee recognized that the President could prescribe reasonable regulations to safeguard information "notwithstanding that the regulations might indirectly interfere with any secret transmission line between the executive employees and any individual Member of Congress." Senate Report No. 2508, 83d Congress, 2d session, page 35.

Accordingly, I find that charges 1, 2, and 3 are sustained.

Charges 4, 6, 8, and 10 allege that you were responsible for cutting the classification indicators from the tops and bottoms of certain classified memorandums thus declassifying the documents without complying with prescribed procedures. Charges 5, 7, 9, and 11 allege that, by the same acts, you were responsible for mutilation of the documents in violation of section 2071 of title 18, United States Code.

In reply you deny that you clipped the documents in question or that you were responsible, directly or indirectly, for the clipping. You argue that the presence of the clippings in your burn bag is consistent with the hypothesis that they came from one of the other two offices in the suite. You also argue that section 2071 of title 18, United States Code, has no application to work papers or working papers, which may be destroyed when they have served their purpose.

With respect to section 2071 of title 18, United States Code, you are not, of course, charged with destroying the documents, lawfully or unlawfully, but with unlawfully mutilating them. Since only the carefully clipped classification indicators appeared in the burn bag and not the remainder of the documents, the inference arises that you were not seeking to destroy the document in accordance with prescribed procedures or in the ordinary course of business.

Although the documents involved were not originals, they are not thereby exempt from the protection of section 2071, which covers "any paper, document, or other thing filed or deposited with any public officer of the United States."

As to the factual issues, each of the other two officers occupying the suite has made a statement denying that he clipped the documents in question, or placed the documents or portions of them in your burn bag, or that he knows who did. Each of the secretaries of these officers as well as your own secretary has made a statement denying that she clipped the documents in question, or placed them or portions of them in your burn bag, or knows who did. The clippings were found in the burn bag available specifically for your use. The documents all dealt with the same specific subject as 10 other documents which, in a signed statement dated August 15, 1963, you admitted giving to Mr. Sourwine. In these circumstances, I have concluded that you were responsible for clipping the documents.

I find that these charges are sustained.

Charge 12 alleges that you prepared and gave to a person or persons outside the Department a series of questions for the use of Mr. Sourwine in the interrogation of your superior, Mr. Reilly. Charge 13 alleges that you prepared and gave to a person or persons outside the Department a series of questions for the use of Mr. Sourwine in the interrogation of another officer of the Department, Mr. Belisle.

In your reply you admit having prepared the questions and given them to Mr. Sourwine to be put to Mr. Reilly and Mr. Belisle when they testified. You argue that the standard of conduct you are charged with violating is so vague as to be unfair and lacking in due process and that, as with charges 1, 2, and 3, your action was justified under 5 U.S.C. 652(d), and was taken to defend yourself against false testimony. You also state that you considered it your duty, in loyalty to your country and consistent with the Code of Ethics for Government Service, to assist the committee to develop the truth.

Departmental Regulations (3FAM 1611) provide:

"The policy of the Department is to protect its employees against arbitrary separation or removal for reasons having no relation to the good of the service. Employees are required, however, to render honest, efficient, and loyal service and shall be separated or removed when necessary to maintain the required discipline and efficiency of the service."

This standard of service as well as basic concepts of administrative responsibility require that an officer of the Department should first seek to correct asserted deficiencies within the Department in accordance with the procedures provided. Unless this proves impossible the question of a conflict of loyalties cannot arise. As noted above, there were proper ways available to make your views known, and thus there is no deprivation of the rights referred to in 5 U.S.C. 652(d). The right to free speech and loyalty to country on which you rely do not render meaningless your duty of loyalty to superiors and fellow employees and are not incompatible with that duty.

I find that these charges are sustained.

You are hereby notified that you will be removed from your appointment with the Department of State. The effective date of your removal will be November 15, 1963.

You are hereby notified of your right to appeal this decision to the Department of State or to the Civil Service Commission. If you appeal initially to the Department, the effective date of your removal will be postponed pending the appellate decision. Your attention is directed to the Foreign Affairs Manual of the Department, volume 3, section 1840, a copy of which is enclosed, for detailed information concerning an appeal to the Department. Once you have appealed to the Department, you may appeal to the Civil Service Commission only if:

1. you request that the appeal to the Department be terminated, or

2. an appellate decision has been rendered sustaining this decision.

If you appeal initially to the Civil Service Commission, you cannot appeal to the Department. An appeal to the Department and to the Civil Service Commission may not be pursued concurrently.

Any appeal you wish to make to the Department should be submitted in writing to the Assistant Secretary for Administration. It should set forth, clearly the basis for your appeal and state whether you desire a hearing in connection with your appeal.

In appealing to the Department, you have the right to a full and fair hearing. You may appear in person or through or accompanied by a representative. If you avail yourself of this, the hearing will be held prior to a decision on your appeal. A decision on this appeal would be made only after review of the matter by the Secretary.

If you appeal initially to the Civil Service Commission from this decision, you should address the Appeals Examining Office, U.S. Civil Service Commission, Washington 25, D.C. Such an appeal must be in writing, setting forth your reasons for contesting the removal, with any supporting offers of proof or documents. The appeal to the Civil Service Commission must be submitted no later than 10 calendar days after the effective date of your removal.

In accordance with the President's statement in his recent news conference, I understand that he will review the matter before any final decision.

Any further information about the appeals procedure may be obtained from Mr. John W. Drew, Jr., of my staff, on extension 6251.

Sincerely yours,

JOHN ORDWAY,
Chief, Personnel Operations Division.

POETICAL EULOGIES ON THE LATE PRESIDENT KENNEDY

Mr. PELL. Mr. President, in the past few weeks, I have received many communications from my fellow Rhode Islanders consisting of expressions of grief as a result of our recent national tragedy. The extremely sad circumstances which surrounded the loss of our great President, John Fitzgerald Kennedy, has led many Rhode Islanders to express their thoughts in many different ways. Some desire construction of a suitable memorial, such as the National Cultural Center. Others wish the minting of a coin or the naming of a square in order to commemorate our late President. However, the majority of the citizens who have written to me from my State have expressed their grief in a more personal manner. Along this line, I have received two rather exceptional communications which are symbolic of the thoughts of all Rhode Islanders during this period of national mourning. Therefore, I ask unanimous consent at this time, Mr. President, that two poetical eulogies, which have been written by the Reverend Jessie Koewing Brown and Patrolman Robert E. Taylor, both of the city of Providence, be printed in the RECORD.

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

A NATION MOURNS

A Nation sadly mourns; we bow our heads in grief,
As in deaths' cruel cold embrace, lies our beloved Chief.
So truly dedicated he, so dauntless, young, and brave,
Must he forever silent be, in a martyrs' lonely grave?

Ah no, his spirit calls us, we see him through our tears,
He bids us carry on his work, he gently stills our fears;
He says "take up the burden where I had to lay it down,
And together we will fight and win, and gain a victors' crown.

"We must ne'er negotiate through fear, nor fear to negotiate,
Our forefathers' dream of liberty we must perpetuate,
It is a lonely battle, this fighting for world peace,
But trust in God, keep praying, and may your faith increase."

And so the spirit of John Kennedy will lead us in the way
To worldwide peace and understanding, and bring a brighter day;
But the challenge is a great one, we must abolish fears and hates,
And give our all as he did, to these United States.

With grateful hearts o'erflowing we thank Thee Lord for him
Whose faith, intelligence, and love, endeared him to all men:
God rest his stalwart soul in peace, and to his loved ones, God be good,
And in his memory may hands 'round the world, be joined in brotherhood.

—JESSIE KOEWING BROWN.

NOVEMBER 24, 1963.

A TRIBUTE TO JOHN FITZGERALD KENNEDY

Dear God, send forth the inspiration I need
To write poetic words the whole world can read.

Just simple words from my deep, saddened heart
About John F. Kennedy, whom from life did part.

A man so much loved by one and all.
A symbol of peace that stands so tall,
Has now passed on from the living race
To join great men at a far distant place.

Arriving in Dallas with a large motorcade,
T'was a heart broken city in which history was made.
From a building up high the fatal shot came
The assassin we know, without trial, without name.

On his death bed, for life they did fight
Two priests near by gave the last rites.
His final breath gone Jackie reached for his hand,
Placed on his finger her gold wedding band.

A mental picture now comes to mind
Of a Texas boy holding a sign.
It said, "Yankee Go Home," painted in red
A few moments later, John Kennedy lay dead.

He did return home, in Air Force One
A casket of bronze, beneath the bright sun
His wife as always there by his side,
What a stout hearted women he chose for a bride.

I'll say in closing of he who is gone
In our hearts, our minds, he will always live on.
Now dear God, our prayers shall be
For strength and guidance to his bereaved.

—Patrolman ROBERT E. TAYLOR,
Providence Police Department, Providence, R.I.

THE SENATE LEADERSHIP AND THE ACCOMPLISHMENTS OF THE 1ST SESSION OF THE 88TH CONGRESS

Mr. BIBLE. Mr. President, as the 1st session of the 88th Congress draws to an end, I know that we all reflect upon the accomplishments and the disappointments which have transpired. Yet we look to the future—to the second session of this Congress which will convene within less than 20 days. While we have made immeasurable progress, we have unfinished work and so I, for one, do not believe we can evaluate correctly the progress of our Senate body until the final chapter is written.

We have in our distinguished majority leader, Senator MIKE MANSFIELD, one of the most considerate and respected leaders of all times. I want to thank him and pay tribute to his thoughtfulness, his kindness, and his complete understanding of every individual Senator's problems. He has shown the ability to work under demanding pressures—pressures which would tax the patience of Job. Throughout the trying demands of his office, he has maintained a calmness and an open mind, and always demonstrated his responsiveness to his position.

Most, if not all of us, have from time to time sought his counsel. He has been generous in giving us assistance, in lending a sympathetic ear, and doing what he could to be helpful. Our majority leader deserves the commendation of this body, and I wish him to know my sentiments come from the heart. It is easy for one to be critical, yet it is quite another thing to put oneself in the majority leader's position. He has been a tireless worker for the overall welfare of our Nation.

I would also be remiss if I did not pay tribute and similar respects to our Democratic majority whip, Senator HUBERT HUMPHREY. The senior Senator from Minnesota has boundless energy. He has done his work well. He is always on the job, attending the Senate's business in an orderly, businesslike manner, and he has demonstrated his leadership and capability in pushing and prodding for progressive legislation, always demanding the Senate take action. These are men of courage and determination, who need our support, who need our understanding—for they are the ones charged with more responsibility than any individual Senator. I am pleased and happy that I have had the privilege of working with them.

On the other side of the aisle, we have had in the minority leader, Senator EVERETT DIRKSEN, and the minority whip, Senator TOMMY KUCHEL, men who have not been obstructionists. They are formidable foes on matters of policy where they disagree with the Democratic position. They have fully measured up to their responsibility in bringing out and developing their side and position of the various issues that have come before this body. This is the democratic way and the way which, I believe we can all agree, should be and will be maintained.

LATIN AMERICA AND JOHN F. KENNEDY

Mr. HUMPHREY. Mr. President, "Let the Alliance for Progress be President Kennedy's living memorial," said President Johnson in his first official public statement. These words were spoken to all the peoples of the western hemisphere. To the United States they say, "let us continue," and to those south of the Rio Grande they say "let us continue."

Did these words fall on unhearing ears? The record we in this hemisphere write next week, next year, and from then on will tell whether we heard, and heeded, but the grief of our partners in the Alliance over the loss of our President gives proof of their commitment to this task, and to this hope.

Reports of their grief are flowing to Washington from the capitals and villages of the Latin American countries.

As President Johnson's words of reaffirmation reached the Latin cities, expressions of confidence and gratitude accompanied the expressions of grief. For the RECORD, I offer a sampling, so that we may know the quantity and quality thereof, and pay heed to the strength of this partnership.

ARGENTINA

The shocking, tragic death of President John F. Kennedy plunged the Argentine people into a trauma of unprecedented proportions and evoked an outpouring of deeply touching expressions of condolences.

For the first time since his inauguration—October 12—President Illia gathered his entire Cabinet together to issue a decree invoking an 8-day period of national mourning and to declare the day of the funeral an official holiday. Personal visits and telephone calls expressing sympathy for the Kennedy family and the American people deluged the Embassy and the homes of its officers. Books, opened for signature at the Embassy Chancery and the residence drew long lines of people, many standing for hours, to record their grief. Some 5,000 letters, cards, and telegrams have been received from all over Argentina. Over a hundred floral offerings, ranging from elaborate wreaths to simple bouquets placed by children, flooded the chancery. Some 40,000 portrait photographs of President Kennedy were handed out by USIS in response to requests. A solemn Requiem Mass at the Buenos Aires Cathedral was attended by President Illia, top officials, diplomats, and a crushing capacity crowd on the day of the funeral. Other churches, of all denominations, held memorial services at one time or another during the week. Practically all top officials of the present government and the last government, as well as political leaders of all persuasions—Peronist, Christian Democrats, Socialists, and so forth—personally paid their respects to the Ambassador. The Ministry of Education named the National Normal School for Modern Languages after President Kennedy in a formal ceremony on November 28, and all Argentine national schools held special classes on November 29 on the contributions of President Kennedy to the cause of world peace. The foregoing serve merely as indications of the sincere and deeply emotional reaction of Argentina to this tragic event. The national mourning brought official and political activity nearly to a standstill, with attention universally focused on the assassination, the funeral, the attendant developments in the United States, and a widely voiced marveling at the manner in which the people and Government of the United States took the tragedy in stride, named the new President, and carried on.

President Johnson's address to Congress received top billing in all papers. The influential La Prensa calls the President's speech "a piece of singular worth that can be considered his first victory"; asserts this means "leadership of the great Republic has changed neither course nor level"; and hails the speech as a "political message of singular beauty" and as coining phrases that will last as models of expression and norms.

La Nacion, November 28, observes Johnson "not a President by mere chance" and "entering presidential stage with dignity of a master in his legitimate domain."

Said La Razon:

> The President is dead, but another man identified with his ideals and principles is already at the helm, and within the Democratic Party and the administration the spirit of teamwork continues * * * based on the presence of men of thought and action, advisors noted for their scholarly qualities and intellectual devotion, who from now on will apply themselves to the programs and plans which they conceived in simple and friendly comradeship with the young statesman

whom humanity has lost * * *. It is certain that in the United States everything will go on as if John F. Kennedy was still at his White House desk.

RIO DE JANEIRO, BRAZIL

News of the death of President Kennedy was received with shock and sorrow throughout Brazil, and with considerable speculation as to what the death meant in terms of Brazilians and their interests. President Goulart decreed 3 days of national mourning, personally called on Ambassabor Gordon on Friday evening, and offered a Requiem Mass at Planalto Palace in Brasilia on November 25. Governor Lacerda called on the Ambassador immediately upon hearing the news and decreed 5 days of mourning in the State of Guanabara. Tribute is still being paid to the late President in municipal chambers, State legislatures, and the National Congress, which on November 27 initiated a motion to recommend President Kennedy for the the Nobel Peace Prize for 1963.

Public reaction was, to all appearances, overwhelming. Crowds flocked to the Embassy and the Consulates for news. Four of Rio's morning dailies issued special editions on Friday evening, and up to 80 percent of the regular editions of all Rio papers through November 26 were devoted to news from Dallas and Washington. Rio's radio and television stations were, and still are, on strike. News to the city's radio audience was supplied in special and lengthy broadcasts by Government-owned Radio Nacional, and from stations in Niteroi, São Paulo and Belo Horizonte, which on Friday and Saturday devoted almost all of their air time to coverage of the events. Outpouring of sentiment from all over Brazil was expressed as for over 2 days radio announcers read message after message from civic, social, sports, commercial, industrial, and professional associations, private citizens and public officials. Special memorial services were held and reverential minutes of silence were observed throughout the nation. In various cities housewives lit candles in their windows on the night of President Kennedy's funeral.

SÃO PAULO, BRAZIL

Paulistas forgot politics when the news came of President Kennedy's death. Few cities in the United States could have been more deeply upset. Public figures flocked to the Consulate General, often in tears, till late at night. Crowds gathered where news was available downtown. Another in the succession of petty political crises seemed to die in the bud. Brazilians called at the homes of American friends. Americans were stopped on the streets for condolences. The press ran what is said to have been the biggest extra edition in years. A Gazeta changed its customary red headlines to black. All commentators agreed that John F. Kennedy had appealed to Brazil as had no other American President except F.D.R.

On Monday, the Legislative Assembly held a special commemorative session. Its President then flew to the United States with condolences, as did Auro Moura Andrade, President of the Federal Senate. The capital city and many smaller towns announced the intention of naming streets, squares, and schools after President Kennedy.

SALVADOR, BRAZIL

The shock of the news of President Kennedy's assassination is still reverberating throughout the district. The Governor of Sergipe sent a telegram stating that 5 days' official mourning were declared in that state. Three days' mourning were declared by Governor Lomanto for Bahia. The expressions of grief cut across all party and ideological lines. Local commentators and orators have likened the President to Pope John XXIII, Lincoln, and Roosevelt, as a figure who had shaped the destiny of the world.

President Johnson's prompt assurances that the Alliance for Progress will be carried on with vigor have been very welcome.

COLOMBIA

Colombian reaction to President Kennedy's death was shock, grief, and initial disbelief. Mourning was widespread, and deep seated, with perhaps more surprising manifestations of grief and desire to honor the dead President from the common people, than even from the country's leaders.

A 3-day mourning period was immediately declared by President Valencia, and a requiem mass was celebrated on Monday with the attendance of Valencia, the diplomatic corps, the Cabinet, and other high Government and military officers.

On November 22, President Valencia sent a message to President Johnson stating that—

> As the days pass, the figure of President Kennedy will grow in the consciences of men as the most determined paladin of liberty, of human rights, of understanding, and harmony among men and peoples, and of world peace.

A flood of telegrams, letters, and phone calls from Colombian groups and individuals reflected this sentiment.

Perhaps the most touching manifestation of solidarity was the decision of the citizens of Ciudad Techo to change the name of their housing project to Ciudad Kennedy. The project was inaugurated by President Kennedy in December 1961. The Colombian national housing authority, which has the primary responsibility for the Alliance-sponsored project, seconded the name-changing proposal.

The chancellery announced that a book for those wishing to sign would be placed at the Embassy. In 3 days more than 1,800 people used this way of expressing sympathy. The signers represented all strata of Colombian society from day laborers and soldiers to bankers and political leaders.

The former President of Colombia, Alberto Lleras Camargo, a man who knew John F. Kennedy and who knows Latin America, put it this way:

> Never has a President of the United States devoted so much and such affectionate interest to Latin American affairs, particularly to the affairs of the less fortunate * * * he was the principal author of the Alliance, its defender and supporter. His enemies sought to hurt him through the Alliance, knowing him to be more vulnerable there than in any other part of his program. For Latin America, Kennedy's passing is a blackening, a tunnel, a gust of cloud and smoke. Until it dissipates, until someone takes up the fallen banner, there will be uncertainty and danger in that part of the world.

COSTA RICA

Immediately upon hearing of the death of President Kennedy on November 22, President Orlich, accompanied by several of his closest advisers, called on the Ambassador to present condolences. Within hours, the Council of Government, "profoundly and grievously moved by the tragic death of the President of the United States, Mr. John F. Kennedy, and feeling the sentiments of sorrow of the Costa Rican Nation," decreed 5 days of national mourning. Within hours, too, the Legislative Assembly had paid final tribute to the President and dispatched a delegation to call on the Ambassador to express its sympathy. Thousands of messages poured in via telephone, telegraph, and mail as well as through cards left at the Embassy and chancery. Masses and Protestant services were held during the official period of mourning which ended November 27 with a state funeral service attended by the President, Cabinet, Justices of the Supreme Court, legislators, the diplomatic corps, and guests at the Metropolitan Cathedral. Statues to the former President have been proposed in San Jose and in several towns.

Deputy Alberto Canas expressed the deep feeling of the Costa Rican people when he said of President Kennedy that—

> When this man spoke, he was saying in a loud voice and beautiful prose, that which we, simple citizens in a small country, were thinking and yearning for. And that sensation, we are sure, has been common to all the simple citizens of the land.

DOMINICAN REPUBLIC

El Caribe reported the tragedy in an extra edition Friday evening. The following day the paper carried a front-page editorial stating that—

> Kennedy had undertaken the mission of defending freedom, social justice, and peace in the Western World as an example of American democracy.

The editorial added that—

> His death means the offering on one more martyr in the defense of these principles, which are the principles of a free people.

Listin Diario ran a moving biographical editorial entitled "John F. Kennedy, a Profile of Courage." The editorial suggested that "his legacy of justice, courage, and liberty may be converted into a spiritual inheritance, not only for the United States but for all the countries of the world."

ECUADOR

Ecuadoreans of all classes, professions, and regions were stunned and universally grieved by the death of President Kennedy. As one Ecuadorean put it, never in the history of the Nation has the death of a world figure so moved and distressed the people. Many donned mourning immediately, and men as well as women were seen weeping in the streets. Flags appeared at half-mast in all parts of Quito, and the grief of the people seemed

almost a tangible thing throughout the long, gray, November afternoon.

Reports of the assassination first reached Quito by radio at approximately 2 p.m. on Friday, November 22, and within a half hour a stream of visitors, faces drawn with grief and bewilderment, began to pour through the Embassy gates. Throughout the afternoon and into the evening they came, including the four junta members, Ministers of State, the diplomatic corps, former Presidents and Foreign Ministers, delegations of students, military, businessmen, clergy, and others, most of whom were received personally by the Ambassador. Equally impressive were the numbers of workers, shopkeepers, taxi drivers, men from every walk of life, many in tears, who came or telephoned, each with his own tribute to the man, each expressing an obviously profound sense of personal loss. An estimated 200 to 300 people visited the Embassy during that Friday afternoon, some only to drop cards, some to say a few words of sympathy to the Embassy officers in the lobby to meet them. These visits, both at the Embassy residence and the Chancery, have continued unabated.

The normal rhythm of life in the capital city slowed and seemed almost to halt as the horror of the events in Dallas became known. The strike at Central University, which, in any event, had failed, with only a small minority of the students participating, lost its steam entirely; public absorption in the President's death was total. All other activities and problems seemed tasteless and insignificant.

No single event in memory has received greater news coverage in Ecuador than the assassination of President Kennedy. Immediately following the President's death, all radio stations interrupted their normal programing and carried nothing but news bulletins, memorial programs, and appropriate music. Most stations devoted themselves entirely to relay of the VOA Latin American Spanish transmission. On the afternoon of November 22, for example, 25 of the 26 Guayaquil radio stations were noted to be relaying VOA. During the following 2 days 65 stations throughout Ecuador relayed VOA sporadically, breaking into programing with VOA bulletins. President Kennedy's funeral services—attended by Ecuador's Foreign Minister—were carried in their entirety by a known 91 stations, the largest network in Ecuadorean history. A 2½-hour TV memorial to President Kennedy was shown in Guayaquil and Quito on Saturday evening, November 23, and film coverage of President Johnson's inauguration, as well as President Kennedy's last major address—to the Inter-American Press Association in Miami—were shown on TV in these two cities on November 26. Several newspapers published extra editions on November 22, and all papers devoted almost the entire front page and several interior pages to President Kennedy on November 22 and the 3 days following. To date, in Quito alone, 217 paid announcements expressing condolences have been published in the press by various public and private organizations.

Religious ceremonies honoring President Kennedy began on Saturday, November 23 and have included, thus far, an English language mass at the Quito Anglican Church and innumerable Catholic masses which will continue throughout the officially proclaimed 8 days of national mourning. The focus of religious activity, however, and perhaps the climax of Ecuadoran emotion over the loss of the former President was a pontifical requiem high mass offered by the Embassy and other U.S. missions and said by the Papal Nuncio at the National Cathedral on the morning of November 26. Attended by the junta, Ecuadoran dignitaries, and the diplomatic corps, this mass was a profound tribute to the dead President as an estimated 4,000 to 5,000 Ecuadorans, most of whom had to stand throughout, filled every corner of the cathedral and overflowed into the plaza outside where they listened to the mass and the Nuncio's moving eulogy over loudspeakers. Many were weeping.

The personality of President Kennedy, his programs, ideals, and family life seem to have struck a chord deep within even the simplest, least sophisticated Ecuadoran. The genuine and unreserved grief throughout all strata of Ecuadoran society, down to the last "common man," resulting from his death have revealed the fund of good will, perhaps previously unguessed, for the deceased President and his programs. Although criticism of various U.S. programs in Latin America had been expressed in Ecuador, as elsewhere, and sometimes these voices of criticisms are the only voices heard, there now is little doubt that there exists a wealth of faith in the Alliance for Progress and good will for the United States, which were manifested so vividly only in the spontaneous emotional aftermath of a President's tragic assassination. President Kennedy's death, which was felt as a personal blow to almost every Ecuadoran, has demonstrated the hope of the common man in Ecuador in the one great idea given them by a lost idol, the Alliance for Progress proposed to them by the North American President, John Fitzgerald Kennedy.

EL SALVADOR

Local political developments were completely overshadowed by the tragic news of President Kennedy's death. Many expressions of condolence were tinged with concern over the future of U.S. relations with Latin America, particularly because of the late President's personal identification with the Alliance for Progress, but President Johnson's assurances regarding the continuity of U.S. policy have gone a long way to assuage these fears.

With the arrival of the first reports of the President's death came several personal inquiries from President Rivera to the Chargé, urgently requesting whatever information was available.

On the morning of November 23, President Rivera visited the Embassy with the President of the National Assembly, the President of the Supreme Court, the Foreign Minister and other high dignitaries. He delivered a eulogy to the assembled Embassy staff and the other officials, in which he officially declared a 3-day mourning period.

A memorial mass was conducted at the cathedral on November 25. It was attended by the diplomatic corps, government officials, Americans, and Salvadorans of all social classes spontaneously demonstrating their grief.

Thousands of letters and telegrams were received at the Embassy expressing the great sorrow of people from all walks of life.

Salvadorans gathered in groups throughout the center of town and in the markets, overcome with the loss of their friend.

Press reaction to President Kennedy's death was continuous and complete for at least 4 full days. Editorial and news comment on radio and TV, as well as press, was exclusively and deeply sympathetic.

FRENCH WEST INDIES

Martinique and Guadeloupe mourned John Kennedy as one of their own, and the colored people of the islands seem to have placed his memory beside that of Abraham Lincoln in the pantheon of the benefactors of the Negro race. The imagination of humbler folk has established a causal connection between the fact of his assassination and the fact that in life he took up the cause of Negroes. They have concluded that in some sense he was martyred for them.

A solemn high requiem mass was sung for the repose of his soul on Monday evening, November 25, in the cathedral of Fort-de-France. The church was packed 20 minutes before services began, and 200 to 300 people crowded outside; this in a town of 80,000. The fervor and intentness of the worshipers, mostly Negroes, was almost palpable.

Groups of 20 to 30 people have been continually in attendance at the USIS window display of photographs of the funeral of the President and of major events in his life. When some move on, others take their place. A good half of them are young people under 20. All week, people have filed in to sign the book of condolences, most of them writing a word of tribute to President Kennedy and of sympathy to his widow and family. Thursday, when schools were closed here, high school students queued up to sign. Repeatedly they would ask for a photograph of the late President.

The wave of shock and sympathy that followed the news of the assassination embraced people of all categories and every social condition, colored and white. Hundreds called personally to present condolences, hundreds of others sent telegrams, cards, or letters of sympathy. The principal of a boys' orphanage drove some distance to sign the book of condolences and to say that her young wards had put the institution's flag at half mast immediately upon learning of the President's death, and the president of the local taxi drivers' union, in mourning

black, called personally to express the sorrow of his members. Heads of every imaginable kind of association called or wrote on behalf of the membership, people composed poems to his memory, and a town council passed a formal motion of homage saying that President Kennedy "joins the lineage of the great benefactors of humanity".

The French civil and military officials were animated by a chivalrous desire to pay fitting respect to the memory of a man they greatly liked and respected. The prefect and all his ranking associates came in full dress uniform to the mass sung in the President's honor, as did the commanding general and some 20 of his senior officers. The general, at his own initiative and not at our request, had an honor guard and the military band in front of the cathedrals, and the two national anthems were played before the official procession entered the nave of the church.

GUATEMALA

The shocking news of the assassination of President Kennedy, and the President's funeral, monopolized Guatemala's attention this week. The Embassy and other U.S. Government agencies received hundreds of telegrams, letters, telephone calls, and personal visits of condolence from representatives of all sectors of Guatemalan life; and many labor, student, commercial, and other organizations issued formal proclamations of sorrow and indignation over the terrrible crime.

The Government of Guatemala, in a proclamation which eulogized the late President and took special note of his efforts to promote the development of Latin America and of his consideration for Guatemala, declared 3 days of national mourning.

Diario de Centro America, the Government newspaper, declared that—

Central America keeps for Kennedy its highest affection and will not forget that he was the first President of the United States who honored the Isthmus. For Latin Americans he, who was the youngest U.S. President and the first Catholic in the White House, will always be remembered as the creator of the 10-point plan that, in the historic meeting of Punta del Este, was transformed into the monumental Inter-American Program of the Alliance for Progress—the first collective strike against the viciousness of economic underdevelopment.

HONDURAS

The assassination of President Kennedy November 22 caused shock and profound grief throughout Honduras and completely overshadowed internal concerns throughout most of the week. The Government decreed 3 days of official mourning and late in the day Chief of Government Col. Oswaldo Lopez made a statement over a nationwide radio hookup, warmly praising President Kennedy as a true friend of Latin America and lamenting his shocking and untimely death.

The report of the assassination was immediately followed by visits to the Embassy, and also the AID and USIS offices, from individuals and representatives of organizations offering their condolences. The Embassy has also received several hundred telegrams and letters of condolence and a number of floral wreaths.

MEXICO

The death of President Kennedy caused an unprecedented manifestation of shock and grief in all sectors of Mexican life. Immediately upon the receipt of the first bulletin on the assassination, arrangements were made for Mexican television stations to hook up directly with U.S. networks via microwave. The Mexican television audience was given approximately 14 hours daily of direct broadcasts from the United States in this unprecedented public service coverage and at considerable cost and loss of revenue to the Mexican stations.

More than 4,000 Mexicans from all walks of life came in a steady stream to sign the condolence books in the Embassy lobby, while many dignitaries personally presented their condolences to the Ambassador. The Embassy switchboard was jammed on the day of the assassination and calls offering condolences continued to be received throughout the weekend. Large numbers of Mexican families followed the funeral mass on television in their homes, many of them kneeling in prayer before their sets. Most churches in Mexico offered special masses and services in memory of the President, and the mass at the Basilica of Guadalupe, where President and Mrs. Kennedy worshiped during their visit here, was attended by an overflow crowd including a large part of the diplomatic corps. Another mass was held at the National Cathedral and special services were scheduled at Protestant churches and synagogues throughout the city.

The press was completely dominated by the tragic news and subsequent events, and was filled with eulogies of the late President. Almost every editorial declared that the world has lost a great statesman and they spoke of President Kennedy as a true friend of Mexico.

There are now numerous reports of movements underway to name a street in Mexico City, a park, and a school after President Kennedy, and a report has also been heard of erecting a statue of him in Mexico City.

Excelsior:

We are sure that under the Presidency of the ex-Senator from Texas the relations between the White House and Mexico will continue friendly. Clear indication of this is his declaration of friendship made to the Government and people of Mexico.

In another editorial:

Notwithstanding that John F. Kennedy left behind a formidable luminous star in the White House, President Johnson will not be a poorly defined and opaque figure. He is a capable citizen and worthy of his post. A man of political vocation and great skill.

La Prensa: Banner headline: "Forward the Alliance, Says Johnson." The paper editorially cited Johnson as a true friend of Mexico and said:

The only thing desired is that he maintain the ideals of Kennedy.

Novedades:

The neighboring country continues its forward march, still carrying the spiritual havoc of its tragedy, but with a singleness of purpose and a resolve to rise above adversity. This is an example of a moral consistency and an institutional strength which highlights the excellent features of a solid and harmonious democracy.

NICARAGUA

The practically unanimous demonstration of mourning for the late President John F. Kennedy, which has been exhibited by all sectors of Nicaraguan life, is overwhelmingly impressive. It is hard to imagine how Nicaraguans could or would have shown deeper and more genuine sadness if the assassinated Chief of State had been a well-loved President of Nicaragua itself.

President Schick issued a proclamation expressing profound regret and decreed 8 days of official mourning in Nicaragua. He also canceled all public observances of his birthday the following day, November 23.

In a great variety of official and unofficial circles the reaction was likewise prompt and spontaneous. The Nicaraguan Military Academy canceled the gala dance with which it was going to cap the climax of its anniversary celebrations on November 22. The professional baseball league, with the season in full swing, canceled all games for the day in Nicaragua's No. 1 sport. The Club Terraza, one of Managua's principal social clubs, postponed until December the annual debutante ball for which Managua's Garden Club had spent hundreds of dollars and scores of hours in preparation.

The Ambassador and other Embassy personnel began to receive telephone calls and personal visits in ever-increasing numbers as soon as the tragic news came over all Managua's radio stations, which canceled programs to play funeral music between news bulletins the rest of the day. In the late afternoon the Ambassador and Mrs. Brown, accompanied by personnel of the Embassy and other U.S. Government missions here, received a constant flood of visitors expressing condolences at the Embassy residence.

Meanwhile, Nicaraguan press and radio organs have been outdoing each other, not only in news coverage of the startling events but also in their own expressions of regret and mourning. Editorials in all the daily newspapers and broadcasts by prominent local radio commentators have produced several notable examples of unusual eloquence.

The tragic death of President Kennedy was clearly felt throughout Nicaragua. The Ambassador has attended requiem masses at Leon and Granada. Eyewitnesses have told us of the sincere consternation felt by peasants in rural areas when news of the tragedy reached them. The Embassy has been swamped with telegrams of regret and condolences from all over the country, coming from local officials, schoolteachers, and ordinary citizens.

In all the tremendous display of Nicaraguan emotion, no event was more

touching than the visit to the Embassy chancery on the afternoon of November 25 of some 200 children from the Larreynaga public school, who had marched 6 kilometers from their school in an outlying district of Managua, carrying American and Nicaraguan flags linked with black ribbon, and led by the school principal and four teachers. Under the principal's direction, the school children marched to the Embassy flagpole, each boy and girl carrying a flower or two, which had been picked from woods and fields and were halfwilted from the long hot march in the children's hands. At the base of the flagpole with its half-masted flag, they deposited their flowers in the form of letters until they had spelled the Spanish word "dolor"—"grief."

Standing then by his pupils' flowers, the principal made a heart-warming speech of tribute to President Kennedy on behalf of his school, its teachers and pupils and pupils' parents, from a very humble section of the city. After the reporting officer attempted a grateful reply and the students closed their ceremony singing the Nicaraguan national anthem, they reassembled for the 6-kilometer march back home. Behind them by the flagpole they left their wilted wild flowers and an overwhelmed little group of Americans.

PANAMA

The Government of Panama and its people joined the rest of the world in displaying deep sorrow and shock at the death of President John F. Kennedy.

The National Assembly on November 23 approved a resolution "sharing the deep sorrow of the United States to which Panama is linked by special bonds." Assemblymen then paused for a moment of silence and adjourned the session for the remainder of the day as a tribute to the fallen President. In public statements, letters, telegrams, and press releases, civic and professional organizations, political parties of every coloration, labor unions, schools, businessmen's groups, government agencies, the supreme court, political and society leaders, and the man in the street have voiced their shock and dismay at what they consider a tragedy for the United States and all the world. School children, government officials, and citizens from every walk of life have called at the Embassy for expressions of sympathy and to sign the condolence book. A special requiem mass November 25 at Panama City's Metropolitan Cathedral was thronged by Panamanians and Americans.

PERU

All local events were subordinated to the tragic death of President Kennedy during the past week. The reaction of the Peruvian Government was immediate. President Fernando Belaunde Terry was conducting a Cabinet meeting when he was informed and immediately drove to the Embassy accompanied by his entire Cabinet to express his shock and dismay to Ambassador Jones. Belaunde declared November 25 a day of official national mourning. His visit to the Chancery was followed by a stream of visitors from both high and low who wanted to show their deep sense of regret and solidarity with the United States. The three American churches in Lima held memorial services on Sunday, and on Monday a high requiem mass in honor of President Kennedy was said in the church of Santa Maria Reyna attended by the President, the Prime Minister, the Presidents of both Houses of Congress, the President of the Supreme Court, Cabinet Ministers, members of the Diplomatic Corps, and private citizens from all walks of life. The Congress also passed a resolution calling for the award of the Nobel Peace Prize to President Kennedy. The love and respect held by the people of Peru for the late President were also evident in the outpouring of messages and spontaneous demonstrations of grief and loss from all sides.

The people of Arequipa took the sudden death of President John F. Kennedy as a personal loss. From all walks of life—authorities, professional men, businessmen, teachers, students, trade unionists, laborers, and the poor—came to the consulate and to the consul's residence, to express their grief and sympathy, often in tears. Telegrams, letters, cards and telephone calls flooded the consulate to manifest condolence. Many Arequipenos canceled social engagements and flew the Peruvian flag at half-mast with a black ribbon above it to demonstrate their deep sorrow. The Cathedral of Arequipa, which held its first Requiem Mass for a foreign President on November 25, was packed with mourners. Religious services were also held throughout the city in honor of President Kennedy. The major proposed that a street of Arequipa be named after the late President.

URUGUAY

Uruguayans in general respected President Kennedy highly and a large majority gave him their sympathy and even affection. His death, therefore, struck this small country perhaps as deeply as the death of one of its own leaders. The National Council of Government met in special session Friday evening, November 22, as did the Senate and the Chamber of Deputies. Speakers of all political persuasions eulogized the President, and the Parliament, at the request of the NCG, unanimously voted the day of the President's funeral a day of national mourning. Perhaps more significant and more meaningful was the reaction of the people of Uruguay, from the humblest to the wealthiest. Many expressed their sorrow and condolence for the American people in a flood of messages and calls on the Embassy, including a silent march of some 3,000 people from the center of Montevideo to the Embassy residence on November 22, a distance of about 2 miles.

VENEZUELA

The image of President Kennedy was far greater in Venezuela than the Embassy realized. The outpouring of condolences from all sectors of Venezuelan life, from President Betancourt to humble campesinos, took the form of telegrams, letters, telephone calls, and personal visits. Hundreds paid their respects to the Ambassador at the residence and at the chancery, where guest books were signed. Despite the fact Venezuela was in the final stage of a heated, emotional political campaign, the country seemed numb with the news. Political parades and speeches were stilled for 3 days of Venezuelan mourning, even though last weekend was expected to see the climax of political activity. Venezuelans were choked with emotion. News coverage here of the President's assassination and the funeral was probably the most complete of any major event in history. All radio stations played funeral music during the 3-day Venezuelan mourning period, and 52 of them were hooked up to the USIS radio studio for direct relay of the Voice of America broadcast of the funeral. Newspapers and magazines devoted page after page to news and features on President Kennedy and President Johnson. All television stations carried hours of programing on President Kennedy, including newsreel coverage out of Dallas.

On November 26 Venezuelan authorities announced that the newly built AID-financed housing project being dedicated that day near the Caracas area is being named "Barrio John Fitzgerald Kennedy" to commemorate the late President's leadership in the Alliance for Progress.

All these words are not in vain, or mere bombast, as our partners realize as well as we what is ahead. In the words of one envoy who heard President Johnson's pronouncement—reported by R. H. Boyce, Scripps-Howard staff writer:

> Johnson is wise to continue the Alliance program. He couldn't quickly change it if he wanted to. The Alliance is a program already underway. Its ideals are perfect. Its success depends on how well those ideals are practiced—on both sides of the Rio Grande.

Lest we deceive ourselves and think that it is only we who practice the ideals, I offer this one last article for insertion in the RECORD. This is a portion of an editorial from La Prensa, Nicaragua, November 2, 1963:

COMMUNITIES THAT ARE REDEEMING THEMSELVES BY THEIR OWN EFFORTS

(By Pedro J. Chamorro)

> In many places in Nicaragua, especially in the small villages, an interesting phenomenon is occurring that awakens in those who view it many hopes for the future of our country. We refer to the community action of the inhabitants of some localities, who, tired of waiting for social or economic salvation as a gift from the hands of the government or politicians, are redeeming themselves by their own efforts. In more than one locality, progressive committees have been formed to establish dispensaries, to open schools, to repair roads, to teach literacy, and to create in the end an achievement of progress that benefits the entire community.

Without a doubt the Alliance for Progress has contributed to this, since in these small villages it has presented in its true role the first creative step which gives the citizens confidence in their own possibilities. The schools built with a high percentage of voluntary community labor are the beginnings of the achievements that are going to come much later when, after seeing that progress does not depend only upon the government but can be realized with citizen effort, the

people, joined together for these tasks, undertake new tasks to raise their own economic and social levels.

It is moving to see a worker giving a substantial part of his labor—as for example a day of work—in benefit of his own people. It is moving to see a humble man, like the citizen of Mateare who showed up at the offices of La Prensa yesterday, who had given many weeks of voluntary labor for the construction of a school and who gave as his reason for his actions that of being convinced that this place of study was indispensable to improve the future for his sons.

These examples are moving, and what is more they awaken hopes in the future of Nicaragua.

TRIBUTE TO SENATOR MANSFIELD, MAJORITY LEADER

Mr. METCALF. Mr. President, the able and informed news commentator for NBC, Mr. Bob McCormick, recently made a couple of newscasts commenting on the leadership of my senior colleague, MIKE MANSFIELD, the majority leader.

Mr. McCormick has developed a thesis that is irrefutable for this Congress, and one in which I wholeheartedly concur.

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

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

The hoopla over Congress, reached another peak this past week or so. The Congress itself has been too busy trying to get away from a few days, to continue its own morbid sort of self-criticism—but most everybody else has gone right on accusing Congress and its leaders of all sorts of dreadful things.

Some of these accusations are true. This may be the first Congress in history to be one long, unbroken filibuster. It's a different sort of filibuster; it has been staged in committees, and not on the floor of Congress, but still a filibuster.

There can be no question that it began when the late President Kennedy finally felt compelled to demand strong civil rights action from this Congress.

Starting, it seemed, within a matter of hours, the work of committees went into slow motion—a nightmarish state, where business that would normally take 1 hour, took 3—and a subject that would normally take 1 day, took 3.

No one could prove that it was either inspired or organized; and it may have been only coincidence that southern Senators (for example) seemed to have many more points to discuss, at committee sessions, than they customarily have. This is a privilege of any Member; and when a particularly strong and stubborn committee chairman, or party leader, tries to short circuit committee members, he is accused of being a tyrant, of stifling democracy, and frustrating free speech.

In such an atmosphere it's almost a miracle that anything was done; but strangely enough, this Congress has put through an amazing lot of truly historic legislation—although it should be axiomatic that a Congress cannot be judged simply by how many bills it approves; the quality of the bills must be considered—as well as the number and quality of the bills not approved.

But Congress did lay the legislative basis for great advances in public health—and in education.

There were conservation measures—pay increases for the Armed Forces, equal pay for women requirements, air pollution controls, a nuclear test ban treaty, an international coffee agreement.

The list goes on and on; but so does the criticism. The criticism, combined with the long and tedious hours, and the frustration of failing to get action on civil rights and tax cuts, have produced jangled nerves, exhaustion, and short tempers that could have exploded at any moment into a perfectly disgraceful catfight, particularly in the Senate. It came hair-raisingly close many times.

In the opinions of many oldtimers at the Capitol, the Senate would have gone off like a nuclear bomb, if it had been given one extra shove, one ill-natured prodding—by the leadership.

This neither Senate Democratic Leader MANSFIELD nor Republican Leader DIRKSEN has done. MANSFIELD carries the heavier responsibility; he has moved quietly, patiently, and sympathetically among his tired troops, getting more production than was expected, or is appreciated, getting little in the way of thanks. And this sort of thing will undoubtedly continue, off-and-on, according to Senators themselves, until civil rights is disposed of, and that could be years.

It's just possible that the much-criticized 88th Congress may wind up in a blaze of glory.

Senate Democratic Leader MANSFIELD has, several times recently given what amounts to justifications for the current Congress—the 88th Congress—and he can, indeed, make a convincing case for the theory that this Congress actually has accomplished a great deal. In the area of education, for example—Chairman POWELL of the House Education Committee said this on the floor of the House last week:

"The late President Kennedy said that the passage of the higher education bill, and the vocational education bill, would mark the most significant year in American educational history, since the enactment of the Morrill Land Grant College Act of 1862."

Both these bills have been approved. So MANSFIELD has some grounds for contending that this Congress has not been a total waste of time as you might judge from reading some of the critical things that have been said about it.

But MANSFIELD goes further, than merely trying to rationalize the 1st session of this 88th Congress; he says it may be considerably better in the next session, beginning January 7. As MANSFIELD put it: "With the leadership, the forcefulness and the determination of President Johnson" Congress will dispose of all the major problems it faces, in the next go-round. Actually, MANSFIELD isn't just whistling to himself. He and President Johnson are very close; there was a time, right after Mr. Johnson became Vice President, when their cooperation wasn't quite as smooth as it might have been, because MANSFIELD thought that, as Senate leader, he should lead the Senate. But that got straightened out fairly quickly.

Most people have forgotten that MANSFIELD was a Johnson-for-President rooter at the Democratic convention in 1960; MANSFIELD voted with Mr. Johnson, most of the time, when Mr. Johnson was Senate leader. Also, when Mr. Johnson was Vice President, he frequently dropped into MANSFIELD'S Capitol office, to talk politics.

So it is, that the President and MANSFIELD may make a most effective combination, at the next Congress; Mr. Johnson is persuasive, but also abrasive; he can be very rough; he has the means, and the inclination, to clamp down on those who desert him in critical periods.

But MANSFIELD is the man almost everybody likes, as well as respects. With his soothing, friendly approach, he can reach people the President can't; but by the same token, the President can slam people around in a fashion MANSFIELD could never match. It could be the greatest combination since Jack Spratt, who could eat no fat, and his wife, who could eat no lean. The legislative platter may really be licked absolutely clean.

ANNUAL REPORT BY SENATOR JAVITS TO THE PEOPLE OF NEW YORK

Mr. JAVITS. Mr. President, every year I make a report to my constituents in New York. I shall do so again as we approach the end of the current year, not that we have accomplished too much, but to let people of New York know what we have done and why.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD my annual report to my constituents.

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

ANNUAL REPORT, 1963

It has been my custom throughout my congressional service to report annually to my New York State constituents on each session of Congress and on my own activities during the past year.

This—my 15th such report—is perhaps the most difficult of all to present, for 1963 has been a year of unfulfilled promise, of deep frustrations, and of painful legislative stagnancy—and all of it has been climaxed by the profound national tragedy of the assassination of President John F. Kennedy.

It will not be easy for the Nation to shake off the sadness of that terrible event in Dallas, Tex., on November 22. No matter what political differences one might have, all would agree that John F. Kennedy brought a brilliant mind, an exciting style, and the spirit of youth to the Presidency. His passing in the prime of life was a devastating blow to the Nation. I could not leave the subject without noting the pride of the Nation in the dignity and grace of his widow, Mrs. Jacqueline Kennedy, in her time of bereavement.

In the aftermath of this tragedy, I urged the Congress to agree on one authoritative investigation to study all aspects of the assassination and supported the President's appointment of a Federal Commission for this purpose. I also cosponsored legislation to make an attack on the President a Federal crime and to regulate more effectively the sale and shipment of firearms, especially by mail order. I joined in legislation to establish the John F. Kennedy Cultural Center in Washington and to establish a Kennedy Memorial Commission to evaluate the countless proposals for memorials to the late President; and I introduced a constitutional amendment to improve the procedure for presidential succession by providing for the election of a Vice President by a joint session of Congress when the elected Vice President succeeds to the Presidency.

Out of the shock and sorrow of the assassination came a spirit of unity. Longfellow had written, "Sail on, O Ship of State; Sail on, O Union, strong and great." And it was most encouraging to see the American constitutional system working so smoothly in transition, as Vice President Lyndon B. Johnson took hold of the Presidency without any break in continuity.

I joined many of my colleagues in pledging cooperation with the new President as he sought to project a spirit of reassuring unity to the Nation and the world. His appeal for prompt congressional action on major issues facing the Nation needed to be made; but

whether the Congress, which his party controls with heavy majorities, will heed his plea remains to be seen.

Certainly, the record of the 1st session of the 88th Congress was not encouraging. The brightest accomplishments were Senate ratification of the test ban treaty, which I supported with enthusiasm as at least a first step forward in the effort to control the arms race; and the enactment of bills for aid to colleges and for medical and vocational education in which I took an active, and, I believe, effective role as committee member and conferee.

I received special satisfaction with the passage by the Senate of a bill providing for a National Arts Foundation and a National Council on the Arts, a program which I have been sponsoring for the last 15 years.

The first session of this Congress was one of the longest sessions in history. By session's end, the only other major legislation enacted into law by Congress, according to the Congressional Quarterly boxscore, were extension of the excise taxes, mental health program, feed grains legislation, railroad strike settlement, and foreign aid authorization.

Legislation on civil rights, tax cut and tax reform, medical care for the aged, youth employment, domestic Peace Corps, Federal pay raise, Urban Affairs Department, mass transportation, amendments to securities regulatory laws, area redevelopment, conservation and wilderness system, cotton controls, and civil defense shelters are all still pending—some passed by the Senate, but not by the House; some passed by the House, not by the Senate; and others not yet acted upon in either body.

The first session's record on appropriations was indeed desultory. Although appropriations bills are supposed to be approved by the end of July each year, the Congress had enacted only four of the regular annual appropriations bills by mid-December. It passed the rest just before Christmas.

I think it can correctly be stated, to paraphrase Churchill, that never had so many taken so much time to do so little.

As early as last July, I warned that Congress was losing respect in the Nation and was earning the title of "standstill Congress." I believe more dynamic, activist leadership is needed as well as meaningful reform of the archaic legislative machinery, especially in the Senate.

Particularly distressing was the failure of Congress to deal with the civil rights crisis. The justified demands of our Negro citizens, ignored for far too long, reached a climax during 1963's "summer of discontent," threatening the Nation's domestic tranquillity. The use of dogs by Birmingham police to thwart Negroes seeking to exercise their constitutional rights sickened the entire Nation. Following that came such appalling events as the assassination of NAACP leader Medger Evers and the killing of Negro children in the bombing of a Birmingham church. The Negro yearning for equal rights was eloquently expressed in the August 28 March on Washington, which I was privileged to witness at the Lincoln Memorial as an invited guest. It was an extraordinarily patriotic demonstration which touched the conscience of the entire Nation.

But at year's end, civil rights has not reached the floor of either the House or the Senate. The prospects are for early House passage in 1964, followed by a historic battle in the Senate where the southern Democratic bloc continues to have the advantage of the Senate rule which allows filibusters. To this upcoming struggle, my head and heart are committed, and I will devote all my powers to achieve meaningful results for our Nation.

Also pending as we move into 1964 is the tax reduction bill, essential as one means of revitalizing our economy. Additional measures are needed to solve endemic unemployment and to spur economic growth, but I support tax reduction as a vital element in a program and will continue to work for its enactment.

With the foregoing as the highlights of the past year, I will now go into the details of the 1st session of the 88th Congress.

CIVIL RIGHTS

The year, which held such promise for meaningful civil rights legislation, ended with a record of mass demonstrations in the streets and tragic racial violence, but with little concrete action in Congress. The session began with an unsuccessful effort to amend the Senate rule which permits filibusters—the unlimited debate which has been used for so long to defeat legislation dealing with civil rights, the No. 1 moral issue facing the country. For the first time in this long struggle, a majority of the Senate voted to end debate, but then Vice President Johnson, as presiding officer of the Senate, did not follow former Vice President Nixon's earlier parliamentary advisory opinions that a majority vote in a newly organized Senate is sufficient to end debate on a rules change after a reasonable time and to get to a vote.

In March, a group of Republican Senators, including myself, introduced comprehensive legislation based on the 27 legislative recommendations of the U.S. Civil Rights Commission in the fields of education, voting, employment, housing, the administration of justice, and public accommodations. We put special emphasis on a measure authorizing the Attorney General to institute or intervene in civil injunction suits to safeguard, by court order, the rights of U.S. citizens under the 14th amendment, including the increasingly vital right to assemble peaceably and petition for the redress of grievances.

When the rising tide of demonstrations throughout the Nation resulted in violence in Birmingham, Ala., and elsewhere, I called for a Republican Senate conference, which met on June 5 and issued a statement of consensus, reaffirming the Republican civil rights tradition and supporting further appropriate legislation. Later the administration sent its first comprehensive rights legislation to the Congress, and it included many of the provisions in the earlier Republican package. Despite the magnificent march on Washington which brought the peaceful demonstration movement for civil rights to a climax, the Congress was slow to respond. I repeatedly opposed the Senate leadership's strategy of withholding action until the House passed a bill, and urged that debate—and the inevitable filibuster—begin with the Senate public accommodations bill. At session's end, the U.S. Civil Rights Commission had been extended for only 1 year, and a reasonably strong bipartisan omnibus measure was pending in the House Rules Committee. I vigorously urged support for the discharge petition needed to get the bill acted on there. I will work to strengthen it in the Senate and for its ultimate passage as early as possible in 1964.

Throughout the session, in accordance with a specific 1962 campaign pledge, I sought to eliminate the spending of Federal funds, collected from the taxes of all citizens regardless of color, for programs, such as the Hill-Burton hospital construction program, which allow racial discrimination or segregation. I pressed each Federal department and agency for details of their practices and established that in most cases they agreed that the Constitution requires the withholding of Federal funds from such programs. On seven occasions, where the Federal department concerned refused to acknowledge such authority, I attempted through amendments on the Senate floor to provide a congressional mandate against Federal subsidization of discrimination. In each case the amendment was tabled on motion of the Senate leadership. I will continue to try to halt these practices.

HEALTH, EDUCATION, AND WELFARE

The National Committee on Health Care of the Aging which was organized at my suggestion in 1962, issued its long-awaited report on November 13 which stirred fresh interest in this vital subject. I joined a group of distinguished citizens who presented the report to President Kennedy a week before his assassination. The President said then that this report made sure the enactment by this Congress of this badly needed legislation. The Committee recommended a dual public-private insurance program which would cover the greatest part of the total health care needed by older citizens.

I am introducing with some of my colleagues legislation incorporating its recommendations. It provides for a Federal program, under social security, of 45 days of hospital care for all persons 65 or over, without deductible or option; up to 180 days of post-hospital nursing home care, or over 200 days of home nursing care. The bill also makes Federal expansion in this field unnecessary by providing for a standard, supplementary private medical-surgical program on a tax-free, nonprofit basis which would be available to those 65 or over without exception. The premiums for this program would be well within the financial ability of most aged persons—an estimated $2 a week. The bill uses the social insurance approach but avoids the dangers of socialized medicine, preserves the traditional doctor-patient relationship and provides for the participation of cooperatives like Blue Cross, insurance companies, and similar organizations. The prospects are good for passage of a law, based on this bill, in 1964.

I supported the Mental Retardation Facilities and Community Mental Health Centers Construction Act which authorized $329 million for matching grants and other assistance, including a 3-year program of training grants for teachers of handicapped children. I cosponsored a resolution calling for a fair test of Krebiozen, but the report of the National Cancer Institute, compiled by 24 recognized cancer authorities, concludes that Krebiozen is ineffective as an anticancer drug. I am cooperating with Senator HUMPHREY of Minnesota to determine what further steps are warranted.

The Health Professions Educational Assistance Act was enacted in recognition of the need for more doctors, dentists, nurses, and other public health personnel. It contained provisions I had been advocating for many many years—grants for construction of medical and public health teaching facilities and loans for students of medicine, osteopathy, and dentistry.

Extensive hearings were held by the Senate Committee on Labor and Public Welfare, of which I am a member, on the administration's omnibus education bill. But, at year's end, most of it was bogged down in the legislative mill though the need remains most urgent.

Federal aid to higher education was finally approved by Congress based on the college academic facilities construction bill I offered earlier this year. The bill provides a 5-year program with a 3-year authorization of $230 million a year, for construction grants for science, engineering, mathematics, modern foreign language, and library facilities.

I also worked out a formula to resolve the basic deadlock on the vocational education bill, which is now law, and provides $730.5 million for vocational education in the next 4 years. I also supported a 1-year extension of the National Defense Education Act, including an annual increase of $35 million in the student loan program; and a 2-year extension of the federally impacted school aid laws.

An amendment to the Library Services Act of 1956, which I supported and the Senate adopted, added $17.5 million to the annual matching grants, increased allotments to the States and authorized a new $20 million a year matching grant for library construction for 3 years.

I supported several measures aimed at the problem of school dropouts and unskilled, unemployed youth which is reaching shocking proportions. I helped obtain Senate passage of the youth employment bill, which would provide a 5-year program of useful work experience for unemployed youth by enrolling them in National, State and community work projects. The bill is still pending in the House. It would establish a Federal Conservation Corps for outdoor conservation work and a State and community youth employment program, both to be coordinated with training and education. I opposed the provision for a conservation corps because I did not believe a new version of the Civilian Conservation Corps of 1932 would meet the problems of 1963. Instead I favored expanding the youth employment program which would work with the full cooperation of the States.

To meet another phase of this problem, by strengthening community service programs, I cosponsored, and the Senate passed, the National Service Corps bill. The House has yet to act on the bill. I sponsored an amendment to the 1963 supplemental appropriations bill which provided $1 million for child day care services and for the training of child welfare personnel in which I greatly believe. This was approved by the Congress.

DOMESTIC ECONOMY

In his budget message, President Kennedy had estimated spending at $94 billion and revenues at $83 billion. To me, the budget demonstrates the size of our responsibilities in the world, but it also requires careful scrutiny to minimize the deficit and guard against national waste and inefficiency. When I was not convinced that the need for expenditures had been demonstrated adequately, I voted for reductions, as in the case of certain aspects of the independent offices appropriation bill and the river basins bill. I also voted to hold the debt limit to $313.4 billion. I joined in sponsoring a Senate-passed bill to create a Joint Committee on the Budget, which would provide more effective evaluation of the fiscal requirements of executive agencies, and I favor authorizing the President to veto individual line items in appropriation bills.

The expected deficit caused great controversy over the administrations' major economic proposal, the $11 billion tax rate reduction bill, which after almost a year had not yet reached the Senate floor. I support, as I was among the first to do in 1962, an incentive tax cut as a vital first step to spur growth in our lagging economy, which continues to be plagued by chronic unemployment of almost 5 million. But I believe the tax cut alone will not cure endemic unemployment. Revision of our antitrust laws, stimulation of profit sharing and stockownership, expansion of exports, and machinery to avoid crippling national emergency strikes are also necessary as incentives to expand investment and create new jobs, and I introduced legislation to achieve these goals.

The need for techniques to deal with automation, as well as with national emergency strikes, was again demonstrated in 1963 by the New York City newspaper strike, the east coast dock strike, and the threatened railroad strike, all of which required hurried stopgap action. Following my earlier proposals and the President's endorsement of the concept in his railroad strike message, I introduced a bipartisan bill to establish a Presidential Commission on Automation to assemble the available data, make forecasts and submit recommendations to the Congress. The bill was made part of extensive hearings in the Senate Labor and Public Welfare Committee and is ready for action in the next session.

Another bill which I supported was enacted to guarantee to women equal wages for equal work. I cosponsored six measures designed to aid migratory farmworkers and their families. All were passed by the Senate. The Manpower Development and Training Act, enacted in 1962, was amended, with my cosponsorship, to provide much-needed basic literacy tools and to make eligible for occupational training the 16–19 "school dropout" age group. I sought to increase, above the existing unemployment compensation levels, the allowances received by trainees, so that potentially employable persons would be able to afford retraining. I cosponsored legislation to include fringe benefits in the prevailing wage under Government contracts, to make permanent the 1961 temporary unemployment compensation extension, and to extend unemployment compensation to employees of nonprofit institutions. I supported expansion of the Area Redevelopment Act, which passed the Senate.

I cosponsored the measure, based upon the extensive study of the securities markets ordered by the Congress, to bring trading in over-the-counter securities under the authority of the Securities and Exchange Commission and to provide additional safeguards for the investing public. After being developed by the Securities Subcommittee, of which I am the ranking Republican member, the measure was passed without opposition in the Senate.

The small business investment company program was amended in the Senate, with my cosponsorship, to expand the assistance available to small businesses from the small business investment companies and to the investment companies, on a matching basis, from the Small Business Administration.

To provide an effective voice for the consumer in the many governmental actions affecting him, I introduced a bipartisan resolution to create a Select Committee on Consumers in the Senate and joined in the late Senator Kefauver's proposal for an Office of Consumers in the executive branch. I continued my efforts to remove the unwarranted restriction on the importation of residual fuel oil, which results in higher fuel costs in New York for heating and electricity.

URBAN AFFAIRS

Perhaps the most significant program for relief of traffic-jammed urban areas, in which two-thirds of our Nation's population now live, was the mass transit bill, which I have long cosponsored. It passed the Senate but became bottled up in the House Rules Committee. The Senate adopted my proposal to encourage multistate arrangements for solution of commuter snarls, like our New York-New Jersey-Connecticut Tri-State Transportation Committee, by permitting the States which enter arrangements in congressionally approved interstate compacts to pool their shares of Federal aid. I also introduced, as an amendment to the administration's omnibus transportation bill, which is still in committee, an amendment permitting financially hard-pressed U.S. railroads to obtain loans from the International Bank for Reconstruction and Development (World Bank), which has successfully financed a number of other nations' railroad modernization plans. I joined with others of my colleagues in successful efforts to continue the important experiment in helicopter service in which New York City participates.

The Housing Subcommittee, of which I am a member, held hearings on the development of an International Home Loan Bank, which I support, to sponsor housing in underdeveloped countries along the lines of the Federal Home Loan Bank. Hearings were also held on my bill to authorize the Federal Housing Administration to repair substantial defects in FHA-insured homes when a homeowner is unable to get relief from the builder.

I introduced a series of measures to help deal with narcotics addiction, without relaxing the already heavy penalties against "pushers" of narcotics. My bills would establish a Federal-State program to construct and operate narcotic hospital and outpatient facilities in areas of need such as New York City; permit civil commitment of addicts to the custody of the U.S. Surgeon General; stimulate research activity under an existing federally aided mental health research program; and extend the Youthful Offenders Act to young narcotics addicts.

The Juvenile Delinquency and Youth Offenses Control Act, of which I had been a sponsor when it was first enacted in 1961, would be extended for 3 years under a Senate-passed bill which I supported.

A special subcommittee on the arts in late October held a week of hearings on my bill to establish a U.S. national arts foundation and on a measure I cosponsored with Senator HUMPHREY, which combined the arts foundation idea with a national council on the arts. An amended version of the latter bill was reported favorably by the Labor and Public Welfare Committee, and was passed by the Senate hours before it adjourned for Christmas.

PEACE AND FREE WORLD LEADERSHIP

The signing of the partial test ban treaty created a major impact on the world this year. I supported the treaty and voted for its ratification by the Senate because I believed it was a useful first step toward restraining further escalation of the arms race and in reducing radioactive fallout. The treaty may have opened the way for other agreements in areas of mutual self-interest, such as the joint United States-U.S.S.R. resolution in the United Nations designed to promote cooperation in exploring the peaceful uses of space. I supported the full budget request of the Arms Control and Disarmament Agency in the Senate. I also called for a six-point policy on Cuba, which included the formation of a Caribbean and Central American defense organization.

The demands upon the foreign policy leadership of the United States were especially noteworthy this year in developments such as the Skybolt controversy, and the proposed European multinational nuclear surface fleet; in Cuba and Berlin; and in the ramifications of the Soviet-Chinese split.

I have continued to support the bipartisan foreign policy and to urge a policy of Atlantic unity in military and economic matters because Europe is so vital to our defense.

The Foreign Assistance Act of 1963 was under very heavy attack in the Congress and the authorization emerged from Congress at $3.6 billion, a cut of about $1 billion below the administration request. I feel that properly applied foreign aid is vital to our offensive against communism, and therefore fought to restore some of the cuts, particularly in Alliance for Progress funds. I also voted for a substantial increase in appropriations for the Peace Corps. In my view, the foreign aid program must be revised to admit private enterprise to a much greater role. I proposed, and the Congress adopted, two "private enterprise" amendments to the Foreign Assistance Act. One established an Advisory Committee (of nine) on Private Enterprise in Foreign Aid, designed to harness the resources and imagination of the private sector in the foreign aid program; and the second called for agreements with aided countries to accommodate a U.S. private investment guarantee program. I endorsed a proposal by David Rockefeller to establish an Industrial Peace Corps, a concept I also suggested in 1959. I am gratified that the

executive branch is about to create an organization based on this principle.

A direct outgrowth of the work of the Economic Committee of the NATO Parliamentarians' Conference, of which I am Chairman, was the formation of the Atlantic Community Development Group for Latin America (ADELA). ADELA is seeking to bring equity capital and technical know-how into Latin America under a partnership of the private sectors of Europe, the United States, and Latin America. The program has every likelihood of beginning this spring.

With Senator GRUENING, I proposed an amendment to the Foreign Assistance Act, which was approved by the Congress, giving the President authority to withhold aid from any country if he determines this aid will be used to prepare for aggression against the United States or any country receiving our aid. This was triggered by threats to the peace in the Middle East and against Israel. I regarded U.S. recognition of the new Yemen regime as premature, and protested continuation of our aid to Egypt when President Nasser failed to withdraw his troops from Yemen.

I also protested the presence in Egypt of German scientists, many of them unrepentant Nazis, who are seeking to develop advanced weapons. Because of the Egyptian arms buildup, I introduced a resolution calling for a collective defense agreement among the United States, France, Britain, Israel, and any other Middle East state willing to preserve peace.

I spoke out many times against Soviet persecution of religious groups, particularly its campaign to make Jews the scapegoats for the Kremlin's domestic failures. The military takeovers in the Dominican Republic and Honduras triggered me to join in a resolution giving the President authority to deny recognition to military juntas, to cancel aid programs, and to come to the aid of constitutionally elected governments beset by oppression or terror—as in Venezuela. Shortly before the coup, a group of U.S. firms, at the invitation of the democratically elected President, Juan Bosch, and on my recommendation, airlifted 1½ million doses of polio vaccine to stem an epidemic threat to the Dominican Republic.

FOREIGN TRADE

The critical problem of our imbalance of international payments and the importance of foreign trade to the economy of the United States—and of especial importance to New York and its port and as an arm of U.S. policy, was made evident again during the year.

The debate over the Soviet wheat deal—which I approved as a one-shot measure in view of our surplus—showed the divergence between this country and our allies on East-West trade policies. I opposed the amendment which would have barred the Export-Import Bank from guaranteeing loans to be used in the wheat deal. In the Senate and in the NATO Parliamentarians' Economic Committee, I urged a united policy which would make trade a means to advance the free world's cause. I introduced bills designed to improve the effectiveness of the Anti-Dumping Act of 1921 in preventing Soviet bloc exports from disrupting free world markets; to lessen the dependence of free world countries on trade with the Soviet bloc; and to stress maximum allied cooperation in the emergency provisions of the Trading With the Enemy Act.

Adverse developments in Western Europe have tended to negate our own foreign policy objective, to expand worldwide trade through the mutual elimination of trade barriers. The rejection of Britain's application to be admitted to the European Economic Community and the unfavorable effects of our "chicken war" with the EEC throws into doubt the adequacy of our negotiating position at the coming trade talks. On January 30, I introduced a bill to enable the United States to offer full economic partnership to Great Britain and to authorize the President to make substantial tariff concessions on the products of industries with the greatest growth potential and the highest productivity if our allies likewise reduced their barriers.

The bill would restore meaning to the dominant supplier authority in the Trade Expansion Act of 1962. This authority, based on the assumption that Britain would be part of the EEC, would allow tariff concessions on 26 categories of goods. Without Britain, only two categories would meet the requirements for tariff reduction, making the President's tariff authority almost meaningless.

The continued balance-of-payments problems facing the United States prompted me in May to introduce a bill designed to develop a unified export-expansion policy. The top-level council envisioned by this bill has since been appointed by the President. In July, I introduced a resolution urging the President to seek an international conference to devise a better international monetary system, which would not depend, as the present one does, on continuing U.S. balance-of-payments deficit. The announcement by the International Monetary Fund that the 10-member "Paris club" and the IMF staff would begin a full-scale review of the existing world monetary system—the first review since 1944—is a clear recognition by trading nations, including the United States, that the system urgently needs improvement.

I urged the administration to take immediate action to curb the outflow of private capital by establishing a capital issues committee to regulate U.S. capital exports in conformity with national policy objectives. I feel the interest equalization tax proposed by the administration will prove to be ineffective for this purpose. I have also suggested reconsideration of the 25-percent gold reserve requirement for Federal Reserve notes, while we still have gold reserves in excess of this requirement, to demonstrate our determination to defend the dollar.

IMMIGRATION

Substantial revision of our outmoded immigration national quota system has long been essential, and I sponsored and cosponsored bipartisan measures to amend the Immigration and Nationality Act. My bill would update the 1920 census basis for quotas, permit pooling of unused quotas, eliminate discriminatory provisions against Asiatic and colonial peoples, establish a Board of Visa Appeals to review visa denials, eliminate discriminations against certain naturalized citizens, and permit admission of fourth preference quota immigrants. When the administration later sent its first immigration reform bill to the Congress, I joined in sponsoring it and will participate in hearings on it which are scheduled for early in 1964. I also introduced legislation to allow war claims for loss at the hands of the Nazis by those who later became U.S. citizens.

THE SENATE ITSELF

After much-publicized congressional scrutiny of the ethics of executive branch officials, the conflict-of-interest scandal surrounding the resignation of Senate Majority Secretary Robert Baker brought to the Nation's notice the need for a congressional code of ethics. Measures which I have repeatedly introduced and which, if enacted, might well have prevented such cases, would establish a Joint Congressional Committee on Ethics to develop a comprehensive code of ethics for Members of Congress as well as their staffs and would require that communications of Senators and Representatives to regulatory agencies about cases be made part of the public record. One bill incorporates an interim code of ethics which, in part, requires public disclosure of any substantial financial interests of Members in companies subject to regulation by Federal regulatory agencies. I have voluntarily published my financial holdings in the CONGRESSIONAL RECORD in accordance with my proposed measure.

The lacklustre legislative performance of the Congress this session also highlighted the great need for a general overhaul of congressional procedure. I joined in sponsoring bills calling for a thorough study, along the lines of the study which resulted in the Legislative Reorganization Act of 1946. Apart from modification of the archaic Senate rule which permits filibusters, the Senate needs uniform committee rules and floor procedures to expedite consideration of bills. I also introduced measures to increase public awareness and understanding of congressional action—and inaction—by installing a public address system in the Senate Chamber and permitting the broadcasting of the Senate proceedings, under appropriate procedures, on radio and television.

GOVERNMENT SERVICE

A bill, which would grant new salary increases to Federal workers, on top of those already scheduled to take effect January 1, is bottled up in the House Rules Committee. I continue to favor pay increases for civil service and postal employees to allow the Government to retain the best qualified employees, which can only be done if Federal pay scales are equal to those in private industry. The proposals to increase the salaries of Congressmen and Senators and other high Government officials should be measured by the same principles. I voted for the Uniformed Services Pay Act, which Congress adopted to raise the basic pay of military personnel.

DEFENSE

Congress appropriated $47.2 billion for defense for fiscal 1964—a slight decrease from the 1963 level. This amount includes $15.7 billion for procurement and $7 billion for research and development. Missiles and missile systems development will benefit from the new budget. Some $447.1 million—an increase over 1963—is provided for the manufacture and modification of missiles, launching sites, and control devices. Funds were also made available for six additional Polaris submarines and for more emphasis on surface-to-air missile systems such as the Nike-Zeus and the Nike X systems, designed to defend us from long-range ballistic missile attack. I participated in the extended investigation by the Senate Permanent Investigating Subcommittee of the award of the TFX airplane contract to the General Dynamics Corp. and Grumman Aircraft Corp. Our committee has received detailed testimony which as yet fails to indicate fraud, venality, or abuse of executive judgment.

AGRICULTURE

Continuing to see real disadvantage to New York farmers in programs of strict production control and supply management, I voted against the administration's 2-year extension of the feed grains program as well as its proposed milk marketing base plan legislation. Both measures failed to receive the support of a consensus of New York farm opinion and were not, in my opinion, in the best interests of New York farmers. They imposed strict, regimented production controls and limitations on New York agricultural producers. The dairy measure, as introduced, cannot, in the Secretary of Agri-

culture's own views, solve the basic problems—reduction in total milk production and substantial improvement in the income of dairy farmers.

The influence of pesticides on farm and urban life was scrutinized in detail by a subcommittee of the Government Operations Committee of which I am a member. I cosponsored legislation, passed by the Senate, which sought to improve pesticide registration and labeling procedures. This measure is still pending in the House. I strongly opposed the Department of Agriculture's amendment to the New York-New Jersey milk marketing order which permits a negotiated hauling charge on bulk tank milk to be imposed on New York dairy producers.

NEW YORK STATE AFFAIRS

The continuing effort to insure for New York State a fair share of U.S. defense procurement produced results in some areas. Overall, however, defense procurement policies continued to work to New York State's disadvantage. Our share of the national total dropped from 17 percent in 1954 to 9.9 percent in fiscal 1963. Principal factor behind this pattern is the Defense Department's emphasis on awarding close to 90 percent of its contracts on the basis of negotiation rather than formally advertised procedures. Despite passage of legislation in 1962 to encourage increased competitiveness in defense procurement, there has been no increase in competitive bidding. My efforts will continue in this field.

In response to the Defense Department's proposed closing of seven military installations in New York, I cosponsored legislation to delay the closing until a thorough study is made to determine the impact on unemployment, and whether the closings are consistent with the public interest and our national security.

My activities as vice-chairman of the New York State congressional steering committee covered many areas of New York interest. Principal efforts involved the successful fight to prevent the transfer of the New York regional office of Internal Revenue to Boston; to secure and improve the employment picture at the Brooklyn Navy Yard; and the effort to expand the potential of ports along the St. Lawrence.

I worked to obtain Defense Department assurances that New York State's pioneer atomic pulsed reactor, northeast of Schenectady, would be utilized by Federal agencies.

In cooperation with Nassau County officials, I waged a long fight to secure the greatest possible public and educational use of Mitchel Field, resulting in some positive results. While a decision by General Services Administration, which I considered arbitrary, was sustained, the fight brought about a review of surplus disposal procedures which may prove beneficial in the long run. The disposal of Ellis Island continued to pose a dilemma, as continuing efforts have yet to produce an agreement on appropriate public use of that historic island.

I introduced legislation to authorize a study of a proposed interstate national parkway from Stroudsburg, Pa., through to Kingston, N.Y.; cosponsored legislation to establish Fire Island in Suffolk County as a publicly owned national seashore; and sponsored legislation to provide compensation to the Seneca Nation of Indians, displaced from their homes by Federal construction of the Allegheny Dam, and sponsored a bill authorizing the striking of medals commemorating three national historic shrines in New York—Federal Hall, Castle Clinton, and the Statue of Liberty, which was passed by the Senate.

I participated actively in the investigation of organized crime syndicates, exposed by Joseph Valachi in public hearings before the Senate Permanent Subcommittee on Investigations, of which I am a member. The inquiry gave impetus to the need for legislation in various fields of crime detection, including wiretapping, if consistent with civil liberties, which is still pending in committee.

In order to improve New York State's capacity to carry out effectively the much needed Federal air pollution program, I introduced amendments to the Federal air pollution law, requiring top Federal officials to consult with State governments before Federal program grants could be made, and to increase the role of the States in intrastate air pollution abatement proceedings. These amendments are now in the law.

In an attempt to contribute to the development of New York's great potential in the water transportation field, I introduced legislation calling for additional funds for the improvement of the Great Lakes-Hudson River Waterway, a channel through which much of New York commerce moves.

I also cosponsored a bill to reimburse the New York police force for extraordinary expenses incurred during the 1960 United Nations session.

And to end this report on a note of great promise, I would like to call attention to the 1964–65 New York World's Fair, which opens on April 22, 1964. Our Empire State and New York City will be playing host to the world with an exciting and historic fair which promises to transcend all the superlatives in the book. I am particularly gratified that I could join in helping to secure a spectacular $17 million U.S. Pavilion—of which all Americans will be proud.

I received special satisfaction with the passage by the Senate of a bill providing for a National Arts Founadtion and a National Council on the Arts, a program which I have been sponsoring for the last 15 years.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had concurred in the amendments of the Senate numbered 1, 2, and 3 to the bill (H.R. 5945) to establish a procedure for the prompt settlement, in a democratic manner, of the political status of Puerto Rico, severally with an amendment, in which it requested the concurrence of the Senate, and that the House concurred in the amendment of the Senate to the title of the aforementioned bill.

RECESS

Mr. INOUYE. Mr. President, I move that the Senate stand in recess, subject to the call of the Chair.

The motion was agreed to; and (at 1 o'clock and 36 minutes p.m.) the Senate took a recess, subject to the call of the Chair.

(The Senate being in recess at the hour of 2 o'clock a.m., the proceedings of today will be continued in the next issue of the RECORD.)

AFTER RECESS

At 6 o'clock and 8 minutes a.m., on Saturday, December 21, 1963, the Senate reassembled, and was called to order by the Presiding Officer (Mr. HUMPHREY in the chair).

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 5, Public Law 420, 83d Congress, the Speaker had appointed Mr. CAREY, of New York, to be a member of the board of directors of Gallaudet College, to fill the existing vacancy thereon.

The message also informed the Senate that, pursuant to the provisions of section 1, Public Law 86–42, the Speaker had appointed Mr. GALLAGHER, of New Jersey, chairman, Mrs. KELLY, of New York, Mr. DULSKI, of New York, Mr. MURPHY, of Illinois, Mr. GIAIMO, of Connecticut, Mr. JOHNSON, of California, Mr. SLACK, of West Virginia, Mr. BROOMFIELD, of Michigan, Mr. TUPPER, of Maine, Mr. ROBISON, of New York, Mr. BATTIN, of Montana, and Mr. ANDREWS of North Dakota as members of the U.S. delegation of the Canada-United States Interparliamentary Group on the part of the House, for the meeting to be held in the District of Columbia, commencing on January 14, 1964.

The message announced that the House had passed, without amendment, the bill (S. 2311) to provide for the preparation and printing of compilations of materials relating to annual national high school and college debate topics.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 67) to print for the use of the Committee on Public Works certain information on water pollution control.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

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

S. 1014. An act for the relief of Mrs. Joyce Mark Bouvier and Paula Bouvier;

S. 1096. An act for the relief of Mrs. Susanna Grun (Susanne Roth);

S. 1319. An act to amend chapter 35 of title 18, United States Code, with respect to the escape or attempted escape of juvenile delinquents;

S. 1838. An act for the relief of Hannah Robbins;

H.R. 1211. An act to admit the vessels *Fort Town, Maple City,* and *Windmill Point* to American registry and to permit their use in the coastwise trade;

H.R. 1532. An act for the relief of Herbert R. Schaff;

H.R. 1560. An act for the relief of Constantinos A. Grigoras (Gregoras);

H.R. 2292. An act for the relief of Marvin M. Greenlee;

H.R. 2364. An act for the relief of the Clay County Hospital, Brazil, Ind.;

H.R. 4099. An act for the relief of Jesse Leigh, Jr.;

H.R. 4157. An act to enact part II of the District of Columbia Code, entitled "Judiciary and Judicial Procedure" codifying the general and permanent laws relating to the judiciary and judicial procedure of the District of Columbia;

H.R. 4505. An act to confer jurisdiction on the Court of Claims to entertain, hear, and determine a motion for a new trial on the claim of Robert Alexander;

H.R. 4759. An act for the relief of W. V. Grimes, James A. Powell, Frank Grove, Harry P. Nash, Jr., and Michael J. Neofitou;

H.R. 5746. An act for the relief of Robert H. Bagby;

H.R. 6181. An act for the relief of Mr. Rudolph Sanderson, of Meriden, Kans.;

H.R. 6468. An act for the relief of Harold J. Burke;

H.R. 6807. An act for the relief of H. W. Robinson & Co., Inc.;

H.R. 7019. An act to provide further compensation to Mrs. Johnson Bradley for certain land and improvements in the village of Odanah, Wis., taken by the Federal Government;

H.R. 8667. An act authorizing additional appropriations for the prosecution of comprehensive plans for certain river basins;

S.J. Res. 113. Joint resolution to authorize the President to issue annually a proclamation designating the first week in March of each year as Save Your Vision Week; and

H.J. Res. 680. Joint resolution requesting the President to designate 1964 as "U.S. Customs Year."

DEPARTMENT OF AGRICULTURE AND RELATED AGENCIES APPROPRIATION BILL, 1964—CONFERENCE REPORT

Mr. HOLLAND. 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. 6754) making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, 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. HOLLAND. Mr. President, I have a statement to make on certain items in the conference report. I believe a few facts should suffice at this early hour in the morning. The total appropriations are $6,224 million-plus. It is interesting to note that the bill, which covers twice as much as the foreign aid bill in appropriations, does not seem to have made a ripple on the public consciousness, whereas it has a great impact upon the Nation and upon the world.

The total amount provided in the conference report is $144,384,785 under the budget estimates, $176,381,875 over the bill as it passed the Senate, and $244,913,215 over the amount in the bill as it passed the House. This strange situation results from the way that we have had to treat the appropriations for the Commodity Credit Corporation and the Public Law 480 activities under the facts as they appeared before the conference.

Mr. President, I ask unanimous consent that a more detailed statement be printed in the RECORD.

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

GENERAL STATEMENT

The conference report on the agricultural appropriation bill provides total appropriations of $6,224,370,215.

These appropriations finance the many and diverse program and administrative operations of the Department of Agriculture.

The total amount provided in the conference report is $144,384,785 under the budget estimates, and $176,381,875 over the bill as it passed the Senate, and $244,913,215 over the amount in the bill as it passed the House.

These conference changes which result in larger amounts than the bill as it passed each body are due to action in the conference committee to provide the maximum amount carried in the House and Senate versions of the bill, for appropriations to the Commodity Credit Corporation to enable it, under the $14.5 billion borrowing authorization, to carry out the several programs authorized to be administered.

Under the law, the CCC must be reimbursed by appropriations for losses incurred resulting from the regular price support, supply, crop diversion and payment program activities of the farm program.

Also appropriations must be made to cover the costs of the foreign assistance programs and other related programs authorized by these respective acts. I will deal with the specific amounts involved for these items later in my statement.

GENERAL DEPARTMENTAL ACTIVITIES

The general activities of the Department are financed under titles I and II of the bill.

The conferees agreed to a general formula of accepting 60 percent of the pay costs which had been restored by the Senate. This amounts to about $4.2 million of the approximately $7 million restored by the Senate for mandatory pay costs.

The Senate committee report carried a provision to reserve the increases over 1963 level during the current fiscal year—month by month from the beginning of the fiscal year to the date of enactment of the bill. Under this provision the full amount provided would have been in the base for 1965 without further justification again next year.

The House conferees insisted that specific amounts be agreed to rather than the formula recommended in the Senate committee report.

I still believe the procedures recommended by the Senate committee would have resulted in a more orderly method of granting modest increases for well-justified projects and activities, since under the conference report a number of these small items will have to be dealt with again to enable the Department to carry out the increased activity as originally contemplated by the committee and approved by the Senate.

AGRICULTURAL RESEARCH PROGRAMS

Senators will recall that the House had proposed to realine agricultural marketing research under the Agricultural Research Service. By this means, it was stated that better coordination of research would be achieved. The Department appealed this action taken by the House and stated that it would review research programs of the two agencies, especially in regard to quality research and advise the Appropriations Committees of the results of this study. The conferees have agreed to the following statement:

"Eliminate House language providing for marketing research as proposed by the Senate. The conferees agree that quality research could be appropriately conducted under the agricultural research as indicated by the Department."

It is expected that the results of this study by the Department will be submitted to the committee next year in connection with the justifications for research appropriations for fiscal year 1965.

As stated in the Senate committee report on page 6, better correlation of research as well as better coordination of research investigations is necessary to make certain that maximum efficiency is achieved in these entire research programs.

For example, all research dealing with the effect of machines upon cotton fiber should be better coordinated. At present, harvesting, ginning, spinning and utilization research on cotton—all of which activities directly affect the quality of cotton for end-use purposes are widely scattered. Since the quality of a commodity when it reaches the marketplace is a dominant factor in its market acceptance, the committee believes it would be very unwise to take any general action affecting quality research which would have a tendency to subordinate the potential need for greater emphasis on such research activity.

The appropriation bill as passed by the Senate included funds for three feasibility studies on research as follows:

(1) $25,000 to survey and report upon the need for and scope of work to be undertaken at a proposed regional research station to conduct research investigations on fruit crops in the northeastern Appalachian region;

(2) $25,000 for a feasibility study to evaluate the need, purpose, and scope of a proposed wool quality research program; and

(3) $25,000 for a feasibility study in regard to the need, cost, and related pertinent factors relative to a national grain marketing research facility.

The House conferees declined to agree to funds in the conference for the preparation of these reports. I am sure that the Senate agrees with the need for these reports, and I expect the Secretary of Agriculture will see to it that these feasibility studies are made and the results are reported to the Committee on Appropriations as soon as possible next year irrespective of the fact that no specific funds are carried in the bill for the costs incidental to the preparation of them.

PLANT AND ANIMAL DISEASE AND PEST CONTROL

The conference bill carries $64.5 million for the conduct of regulatory and control programs administered by the Agricultural Research Service, some of which receive cooperation and cost-sharing from State and local sources.

The conference bill is $4,944,000 over the amount carried in the House bill of which $2,750,000 is for the cooperative program to eradicate the screw-worm. This amount was inadvertently omitted in the bill as passed by the House. Other increases approved were $200,000 over the House bill for strengthening plant quarantine at ports of entry, making a total increase of $361,000 under this activity. For the eradication of hog cholera, the conferees agreed to an increase over 1963 of $1,396,000. This is $600,000 over the amount in the House approved bill, and makes a total of approximately $3.5 million of Federal appropriations available for this program activity.

For the eradication of the fire ant, the conferees agreed to an increase of $500,000 over the amount carried in the House bill. This will continue the Federal funding of this program at approximately $3.4 million.

For the cooperative program to eradicate sheep scabies, the conferees have agreed to an increase of $300,000 over 1963, making available $843,000 of Federal financing on this cost-sharing eradication program.

PAYMENTS TO STATES FOR COOPERATIVE EXTENSION WORK AND STATE EXPERIMENT STATION

The conferees agreed to one-half of the Senate increases to be directed toward adjusting the pay of cooperative extension workers and employees at State experiment stations, who are paid in part from Federal funds carried in this bill.

The specific amount of increase agreed to was $2,705,000 of $5,410,000 for payments for cooperative extension workers; and $1,250,000 of $2,500,000 increase proposed by the Senate for payments to State experiment stations.

It is expected that the remaining amounts of additional Federal appropriations necessary to bring about comparable salary adjustments will be considered in the consideration of the appropriation bill for 1965.

TITLE II—CREDIT AGENCIES

The conferees have directed that the Administrator of the Rural Electrification Administration prepare and issue the necessary regulations in the Federal Register to carry out the procedural requirements set forth in the respective committee reports in regard to the consideration and major approval of generation and transmission loans.

These procedural requirements and the regulations shall be printed in the Federal Register within 90 days of enactment of this Appropriation Act.

RURAL HOUSING LOANS

The Senate had provided an increase of $25 million in the borrowing authorization for rural housing loans, authorized under title V of the House Act of 1949, as amended.

The conference committee agreed to a direct appropriation instead of additional borrowing authorization.

This is the principal change in conference in regard to programs administered by the Farmers Home Administration.

Some modest increases were provided for other new programs. The amounts provided appear in detail in the table on appropriations which will be inserted in the RECORD at the conclusion of Senate consideration of the conference report.

APPROPRIATIONS FOR THE COMMODITY CREDIT CORPORATION

Under title III of the bill $2,699,400,000 is appropriated to reimburse the CCC for net realized losses in fiscal 1963. This amount is required to repair the capital structure of the corporation for losses already incurred in connection with regular farm program costs. This is the amount carried in the Senate bill, and is $100 million below the estimate and $199,400,000 over the amount in the House bill.

TITLE IV—FOREIGN ASSISTANCE PROGRAMS

The bill as agreed to in conference carries a total of $1,889,044,000 in advance appropriations to conduct the various foreign assistance programs, authorized by acts of Congress, principally Public Law 480.

Within these totals the specific appropriations are: $1,452 million for sales for foreign currencies under title I of Public Law 480; $215 million for emergency famine relief; and $52,515,000 for title IV, long-term contracts. This makes a total of $1,719,966,000 for advance appropriations to carry out the various activities under that act.

There is also included $82,218,000 for expenses of the International Wheat Agreement, and $82,860,000 for expenses under the barter program for materials in the supplemental stockpile.

In total the amounts recommended are $167,377,000 over the Senate bill and $195,978,000 under the 1963 appropriations.

In summary the conference committee has agreed to the larger amounts carried in both versions of the bill in order to provide the Commodity Credit Corporation with the maximum amount of capital restoration and advance appropriations needed to carry out all of its authorized program activities. I earnestly hope that the total amounts agreed to, which amount to a grand total of $4,588,444,000 will be sufficient to enable the Commodity Credit Corporation to carry out all of its authorized programs without the need for a supplemental appropriation early in the next session. However, if it develops that additional funds are required, that need will have to be considered as and if it develops.

PRODUCTION AND UTILIZATION RESEARCH

The conferees have experienced considerable difficulty in arriving at a mutually satisfactory agreement in regard to expansion of utilization research and cost of production research, together with a legislative provision inserted by the House in regard to the use of section 32 permanent authorization.

I intend to move for the Senate to accept the amendment as now revised and agreed to by the joint conference committee.

In regard to amendment No. 7, the House version of the bill provided $5 million to be transferred from the Commodity Credit Corporation for cost of production research on surplus commodities, such research to be conducted through contracts and grants. The Senate Committee struck this provision and inserted language which would authorize not to exceed $35 million to be transferred and used for utilization research and development as well as cost-of-production research on surplus commodities. Of this total amount, $30 million had been for the purpose of carrying out the accelerated utilization research program as proposed by the Department in Senate Document No. 34.

As finally agreed upon by the conferees, Senate amendment No. 7 has been rewritten to transfer a total of $15 million of which $14,750,000 is for utilization research facilities, and for the acceleration of utilization research.

The uses of these funds for facilities and for research are listed in the statement on the conference report.

Now reverting again to amendment No. 27, it has been revised in the conference to provide that $11 million of section 32 funds be used for the construction of research facilities as follows: $9.5 million for the construction of a utilization research facility to be located in the Southeastern States; and $1.5 million for the construction of a laboratory to carry on intensive research for weed control, this facility to be located in Mississippi. In addition $5 million is provided for accelerating production research.

As agreed to in conference, amendment No. 27 will likewise provide for $5 million to be authorized to be transferred to the Commodity Credit Corporation to be used to increase domestic and foreign consumption of any farm commodity or farm commodities. Further, this language proviso sets a limitation whereby hereafter such sums not in excess of $25 million as may be approved annually by the Congress shall be available for each purpose.

In view of this agreement dealing with these two amendments, I shall move that the Senate agree to the amendments of the House to the amendments of the Senate numbered 7 and 27, as amended.

Mr. HOLLAND. Briefly, I invite attention to five items which I believe should be mentioned because of their size and importance.

First, there was an item for rural housing loans placed in the bill in the Senate in the amount of $25 million. It was put in as an amendment of the basic act. Under the conference report, that provision was receded from by the Senate, but the same amount of $25 million was provided by way of direct appropriation for the same purpose.

Second, the House version of the bill had taken the appropriation for marketing research out of the Agricultural Marketing Service and placed it in the Agricultural Research Service. The Senate committee reversed that process so as to leave it as it has been in the past. The Senate approved that action, and the conference approved the action of the Senate in that regard.

Third, the proposed peanut laboratory has been a subject of some contention because of certain facts beyond the control of the Senate and the House at the present time. The House and the Senate have both receded, without prejudice, from the three amendments which cover that field, with the distinct understanding, as stated in the conference report—to which the leadership on both sides are committed—that the same item shall be taken up again in the first supplemental bill next year.

Fourth, for the first time the Senate is making progress on the question of utilization research, on which it has been working for some years, under items 7 and 27, which were in disagreement, and which are described in greater detail in my statement.

A real start is made on utilization research. For example, under amendment 7, a total of $15 million will be provided, of which $14,750,000 is for utilization research, and the construction and renovation of existing utilization research facilities. Under amendment No. 27, as reported back from the conference, a total of $16 million would be provided for research purposes, including $11 million for facilities and $5 million for production research.

I shall not go into the subject in detail unless I am questioned. The three Senators on the committee who have been most concerned in relation to the subject—the Senator from Georgia [Mr. RUSSELL], the Senator from North Dakota [Mr. YOUNG], and the Senator from South Dakota [Mr. MUNDT]—were pleased with the result on that question, and regard the action as a distinct step in the right direction toward the fulfillment of the utilization program covered by Senate Document 34, which is the report—and a very full report—of the Department of Agriculture in this field received by the Senate during this session.

I should like to make one comment on the REA. Senators will recall that the committee of the other body and the Senate committee made reports trying to tighten up the administration of the REA both on section 5 loans and on the generating and transmission loans.

There was some difference in wording. I note from the report of the managers on the part of the House that they have said they do not agree with some of the requirements which the Senate committee put into its report. Because the Senate committee very strongly believes in those recommendations and desires to reiterate them, I ask unanimous consent

that the portion of the committee report relating to those recommendations be printed at this point in the RECORD. I intend to insert the committee report statement again to show that it is the understanding of the conference that we stand by that report, and we will expect the Administrator and the Secretary of Agriculture to carry out our recommendations in that report in its dealings with this body.

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

With regard to any further generation and major transmission loan approved in excess of $2 million, the Administrator shall certify to the Secretary of Agriculture, the Comptroller General, and the Congress, that each of these steps has been taken and that the private supplier had been given an opportunity to make the contract reasonable, specifying the details, and had refused or failed to do so.

The Administrator also shall furnish the Comptroller General and the Congress on the date of approval of each such loan application, the following information:

(1) The name and address of the applicant borrower and the date of the application.

(2) Description and estimated cost of the proposed generation facilities. Indicate if the proposed facilities are the initial or additional unit or units of a plant comprised of one or more units.

(3) Description and estimated cost of proposed transmission facilities, including any immediate or future plans to interconnect with other transmission systems.

(4) Description of any long-range plans the applicant may have for construction of additional generation and transmission facilities and the estimated cost of the planned facilities.

(5) Comparison of the estimated costs of generation by the applicant borrower with the cost of power available from existing suppliers, including the final offer by the private supplier including terms and conditions he offered to meet applicant's long-term energy needs.

(6) Summary of the efforts made by the applicant and by REA to obtain the applicant's power and energy requirements from existing power suppliers and the reasons why such efforts have not been successful

(7) Explanation of the applicant's reasons for seeking an REA loan.

(8) The amount of electric energy which the applicant will cease to purchase from present power suppliers upon construction of the generating plant for which REA financing is being sought.

(9) Explanation of the extent to which the feasibility of the requested loan for generation and transmission facilities depends upon the use of a portion of the facilities by others (including Federal power marketing agencies).

(10) Details of the applicant's plans to sell or otherwise make available any of the power and energy from the proposed generation facilities to others (including Federal power marketing agencies).

(11) Names of State agencies and commissions having jurisdiction over the applicant borrowers.

With respect to each generation and transmission loan application, processed by REA in accordance with the foregoing procedures, the Administrator should, in order to avoid dilatory tactics or protracted delays on the part of either party in such negotiations, establish a publicly announced period of time during which the survey, determinations, and negotiations will be carried on prior to a definite cutoff date set by the Administrator.

The committee is opposed to the imposition of dual rates in power supply contracts and believes that the cooperatives should state their needs clearly and concretely, and that the suppliers of power should in turn clearly set forth the terms and conditions of power supply contracts.

The committee expects the Administrator to examine into all complaints which may come to his attention concerning territorial disputes between REA cooperatives and commercial power companies, except in States having adequate statutory provisions for determining territorial and service rights, and report to the committee in January of each year the salient facts involved, the disposition of the complaints, and the basis for such dispositions.

The committee instructs the Administrator of REA to report to both the Senate and House Appropriations Committees in writing 60 days in advance of approving allocations of funds for acquiring or building generating plants of over $2 million and major transmission lines, and such other information as the committee may request.

SECTION V LOANS

The committee concurs in the recommendations in the House committee report that the Administrator of REA should not make section V loans in competition with private sources of credit, or as a replacement or substitution for loan funds available under the Area Redevelopment Act, Public Law 87-27. Such loans should be very limited. The committee requests the Administrator of REA to provide it with a summary of pending section V loan applications as well as a copy of his certification to the Secretary on the necessity for making these loans.

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

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

The report was agreed to.

Mr. HOLLAND. Mr. President, I ask that the Chair lay before the Senate the five amendments which are in disagreement, which I have mentioned rather sketchily.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 6754, which was read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 9 to the bill (H.R. 6754) entitled "An Act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1964, and for other purposes", and concur therein.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 7, and concur therein with an amendment, as follows:

In lieu of the matter inserted and stricken by said amendment insert: ": *Provided*, That, in addition, not to exceed $15,000,000 may be transferred from the Commodity Credit Corporation to this appropriation, in accordance with the Act of June 29, 1948 (5 U.S.C. 714b), for utilization research and development, cost of production research, and other related research designed to reduce surplus commodities held or to be held by the Commodity Credit Corporation, including $10,000,000 for the planning, construction, alteration and equipping of research facilities, which amount shall remain available until expended."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 11, and concur therein with an amendment, as follows:

"In lieu of the sum of $2,500,000 named in said amendment, insert: $1,250,000."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 24, and concur therein with an amendment, as follows:

In lieu of the matter inserted and stricken, by said amendment, insert:

"MARKETING RESEARCH AND SERVICE

"For expenses necessary to carry on research and service to improve and develop marketing and distribution relating to agriculture as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621-1627) and other laws, including the administration of marketing regulatory acts connected therewith; research and development, including related cost and efficiency evaluations, and services relating to agricultural marketing and distribution, for carrying out regulatory acts connected therewith, and for administration and coordination of payments to States; and this appropriation shall be available for field employment pursuant to section 706(a) of the Organic Act of 1944 (5 U.S.C. 574), and not to exceed $25,000 shall be available for employment at rates not to exceed $75 per diem under section 15 of the Act of August 2, 1946 (5 U.S.C. 55a) in carrying out section 201(a) to 201(d), inclusive, of title II of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1291) and section 203(j) of the Agricultural Marketing Act of 1946, $42,498,975: *Provided*, That appropriations hereunder shall be available pursuant to 5 U.S.C. 565a for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided, the cost of erecting any one building during the fiscal year shall not exceed $20,000, except for one building to be constructed at a cost not to exceed $45,000, and the cost of altering any one building during the fiscal year shall not exceed $7,500 or 7.5 per centum of the cost of the building, whichever is greater."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 27, and concur therein with an amendment, as follows:

In lieu of the matter inserted and stricken by said amendment insert: ", and (5) not more than $16,000,000 for transfer to the Commodity Credit Corporation to be used to increase domestic consumption of any farm commodity or farm commodities determined by the Secretary of Agriculture to be in surplus supply, and hereafter such sums (not in excess of $25,000,000 in any one year) as may be approved by the Congress shall be available for such purpose, such authorization not to restrict authority in existing law, of which amount $11,000,000 shall remain available until expended for construction and equipping of research facilities determined to be needed as a result of a special survey."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 38, and concur therein with an amendment, as follows:

In lieu of the matter inserted by said amendment insert:

"Rural Housing Loans

"For additional rural housing loans as authorized by title V of the Housing Act of 1949, as amended, $25,000,000, to remain available until expended."

Mr. RUSSELL. Mr. President, I desire to say a few words with respect to amendment No. 27, which I believe relates to the proposed peanut facility.

Mr. HOLLAND. No.

Mr. RUSSELL. Is that section 32?

Mr. HOLLAND. Yes, that is the section 32 amendment.

Mr. RUSSELL. Has the Senator proposed that the Senate recede on the marketing or so-called peanut amendment?

Mr. HOLLAND. The report showed that both the Senate and the House receded from all amendments on that subject without prejudice for future consideration.

Mr. RUSSELL. Mr. President, I feel that I should make a brief statement in view of the unusual hour at which the Senate is meeting.

First, I wish to congratulate the senior Senator from Florida [Mr. HOLLAND] upon the ability, patience, and tenacity with which he defended the position of the Senate on all of the items in the bill. The bill is very complex. It was my privilege, as chairman for some 26 years, to handle the bill, and 4 years as ranking Democratic member of the subcommittee. The bill deals with over 2,000 different activities scattered over the entire length and breadth of our land. Not all of them are directly related to farming and agriculture, but they are related to almost every aspect of American life. The Senator from Florida has mastered the bill to an unusual degree in the first year he has handled it.

With respect to the difference between the two bodies on the peanut laboratory, the Senate has twice approved the budget estimate for the laboratory which was to be located at Dawson, Ga., which is in the third congressional district of Georgia. The Representative from that district, the Honorable E. L. (TIC) FORRESTER has, of course, been vitally concerned with that subject and has worked very earnestly on it. He was prepared to defend the item on the floor when it went back in disagreement.

Early in the conference, the conferees agreed that the amendment would go back in disagreement for a special vote on the floor of the House. Mr. FORRESTER had consulted me the day before yesterday and asked me what the prospects were with respect to the conference. I said, "They are very bleak." We agreed not to have another meeting until after the Christmas holidays. So he checked in with the leadership of his own body, the able Representative from Oklahoma [Mr. ALBERT] and received the same judgment there. Due to the illness of his wife, he started to his home in Georgia. Today, the President, being naturally very anxious to have these bills cleared before the Congress should adjourn, approached the conferees, and we got in touch with Representative FORRESTER. It was impossible for him to fly back to Washington to defend the amendment on the floor of the House today. In all frankness, had he done so, I doubt that he could have handled the bill because the debate would have postponed action on the conference report.

I believe Representative FORRESTER has made a very generous gesture in agreeing that these matters should be taken out of the bill, and that the issue should be determined in the first supplemental bill or in the Agriculture Department appropriation bill for 1965, whichever may come first. I am sure that all his constituents will understand that he has not surrendered any right which is his, that his interest has not waned in the slightest, and that on the proper occasion, when the question is before the House, he will be there defending this important facility with all his considerable strength and ability.

Mr. YOUNG of North Dakota. Mr. President, I shall make my remarks brief. I commend the Senator from Florida for the outstanding job he did in handling this difficult bill. This is one of the most complicated of all the appropriation bills. It was not easy for him to take over the chairmanship of this subcommittee as successor to our distinguished Senator from Georgia, Senator RUSSELL, who did a superb job for a quarter of a century. I believe that Senator HOLLAND exacted the maximum amount of economy.

The bill may seem large, but there are many items in it, such as $495 million for REA and RTA loans, which have almost a 100 percent repayment record.

There is $68 million for FHA loans, which have excellent repayment records.

There is $237 million for the school lunch program and the milk program, which bears little relation to agriculture.

One of the few places where we were a bit liberal with funds was in the field of utilization research. This is an area in which the Senator from Georgia has really fought a tough battle to obtain the funds, which I believe eventually will result in a great saving. If we can find new uses for agricultural commodities we can save hundreds of millions of dollars for the Commodity Credit Corporation in storage and other costs.

Mr. MUNDT. Mr. President, I join the Senator from Georgia [Mr. RUSSELL] and the Senator from North Dakota [Mr. YOUNG], two members of the conference committee who have spoken in praise of the excellent work done by the distinguished Senator from Florida [Mr. HOLLAND], who for the first time was the chairman of this particular subcommittee.

Despite the fact that it was his first experience in engaging in the rather sustained discussions which we have with House conferees on a measure of this kind, I want the Senate to know that the Senator from Florida defended the Senate position both persistently and successfully. His persistence and persuasion paid off, as demonstrated by the fact that though it is somewhat late in the day—or early in the morning—and certainly late in the session, we have finally arrived at a working agreement.

Of the many decisions which were made, the one which to me gives the most hope for the ordinary taxpayer and farmer is the fact that we have finally made a real breakthrough in the bill for industrial utilization research. We have been nibbling away at this program in recent years.

In the Senate a substantial effort has been made to accomplish this purpose several times in different ways by passing various bills. This is the first time that we have obtained a concession from the House of a size which is significant enough to make a real dent in the problem.

Evidence has been made available from the laboratory at Peoria and from other laboratories dealing with this subject—interesting, intriguing, impressive, encouraging—in a report prepared by the Department of Agriculture, to show the various industrial uses now available. We require studies in marketing and studies in further fabrication. These show that we can put the acres of America back to work at a profit for the farmers by adding industrial utilization to the ordinary utilization for the comforts of human beings and for the feeding of livestock.

I believe this is a really encouraging advent for American agriculture. I congratulate the distinguished Senator from Florida and all the other conferees. The House conferees are to be congratulated for finally seeing what we believe has been a clear light in the sky for a long time.

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

Mr. MUNDT. I yield.

Mr. CURTIS. I thank the Senator. At this hour I shall not speak on this subject. I wish to express my gratitude to the members of the Committee on Appropriations and the conference committee for what they have done in the field of industrial utilization.

I have nothing further to say. I believe an excellent piece of work has been done.

Mr. MUNDT. I thank the Senator. The Senator from Nebraska is a pioneer in this field.

Mr. RUSSELL. Mr. President, I do not believe this occasion should pass without my saying that the distinguished Senator from Nebraska [Mr. CURTIS] has been one of the voices crying in the wilderness to encourage this program, ever since he became a Member of this body.

Mr. MUNDT. Mr. President, that is an accurate statement.

Incidentally, I now sit in the seat formerly occupied by another pioneer, former Senator Capehart of Indiana. Along with many others, the former Senator from Indiana and the Senator from Nebraska have been urging this program, from the Senate side. The House now has taken the first big step. We hope the House will become as enthusiastic about this program as is the Senate.

This will mean that with a small actual expenditure we will realize a tremendous return for American agriculture.

Mr. HOLLAND. Mr. President, I thank my distinguished friends, the Senator from Georgia [Mr. RUSSELL], the Senator from North Dakota [Mr. YOUNG], and the Senator from South Dakota [Mr. MUNDT], for the kind things they have said about me. No one has ever worked with more indefatigable,

capable, generous associates in a labor of love such as this conference committee has undertaken.

The Senator from Louisiana [Mr. ELLENDER] was the other member of the conferees. He had to leave late this afternoon. He worked with equal dedication.

I am happy at the outcome, and happy that the House conferees likewise were exceedingly cooperative. I hope that we have embarked in several respects, under the terms of the bill, upon new programs which will pay off handsomely, particularly in respect to the disposition of commodities which are in heavy surplus.

Mr. President, I move that the Senate concur in the House amendments to the Senate amendments Nos. 7, 11, 24, 27, and 38.

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

The motion was agreed to.

Mr. HOLLAND. Mr. President, I move to reconsider the vote by which the Senate concurred in the House amendments to the Senate amendments listed.

Mr. PASTORE. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. RUSSELL. Mr. President, I should like to make a brief observation.

Mr. HOLLAND. I am glad to yield to the Senator from Georgia.

Mr. RUSSELL. I believe I should say, in justice to the Representative from this district, who has put all he has had for the past 3 years into the laboratory to which I referred, that all the conferees on the part of the Senate were gracious enough to say that they would assist in inserting this item in the supplemental bill, so that he would not be deprived of an opportunity to make a fight on the floor of the House.

Mr. HOLLAND. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a table showing the budget estimate, the House, Senate, and conference allowances on the various appropriation items in the bill.

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

Comparative statement of appropriations for 1963 and estimates for 1964, and amounts recommended in bill for 1964, and conference allowances

TITLE I—GENERAL ACTIVITIES

Agency or item	Total appropriations and loan authorizations, 1963	Budget estimates, 1964	House bill, 1964	Senate bill, 1964	Conference allowance, 1964
Agricultural Research Service:					
Salaries and expenses:					
Research	[1] $88,182,550	[1] $90,554,000	$94,445,000	[1] $91,811,700	[1] ($91,496,700)
Plant and animal disease and pest control [2]	59,504,980	65,148,000	59,505,000	67,071,500	64,449,000
Meat inspection	25,907,150	28,502,000	27,638,000	28,126,250	27,931,000
Total, salaries and expenses [3]	173,594,680	184,204,000	181,588,000	187,009,450	183,876,700
Salaries and expenses (special foreign currency program)	5,265,000	2,500,000		2,500,000	1,250,000
Total, Agricultural Research Service	178,859,680	186,704,000	181,588,000	189,509,450	(185,126,700)
Cooperative State Experiment Station Service:					
Payments and expenses	38,262,950	40,383,000	40,383,000	42,883,000	41,633,000
Extension Service:					
Cooperative extension work, payments, and expenses:					
Payments to States and Puerto Rico	[4] 63,180,800	64,590,000	64,590,000	70,000,000	67,295,000
Retirement and employee compensation fund costs for extension agents	6,765,000	7,110,000	7,110,000	7,435,000	7,272,500
Penalty mail	[4] 2,801,250	3,113,000	3,113,000	3,113,000	3,113,000
Federal Extension Service	[4] 2,597,450	2,515,000	2,500,000	2,500,000	2,500,000
Total, Extension Service	75,344,500	77,328,000	77,313,000	83,048,000	80,180,500
Farmer Cooperative Service	1,155,900	1,280,000	1,195,000	1,201,000	1,201,000
Soil Conservation Service:					
Conservation operations	93,975,500	99,453,000	97,480,000	99,000,000	98,339,000
Watershed protection [5]	61,376,350	63,992,000	63,222,000	63,992,000	63,607,000
Flood prevention [5]	25,325,850	25,576,000	25,465,000	25,465,000	25,465,000
Great Plains conservation program [5]	12,353,550	14,640,000	12,994,000	14,640,000	13,622,000
Resources conservation and development		6,275,000	1,200,000	2,200,000	1,500,000
Total, Soil Conservation Service	193,031,250	209,936,000	200,361,000	205,297,000	202,533,000
Economic Research Service	9,511,150	10,301,000	9,832,000	9,965,700	9,912,000
Statistical Reporting Service	10,021,850	11,552,000	11,079,000	11,486,000	11,290,500
Agricultural Marketing Service:					
Marketing research and service	[6] 40,897,170	[6] 44,505,000	[6] 37,061,000	[7] 44,514,100	42,498,975
Construction of facilities		([8])			
Payments to States and possessions	1,425,000	1,425,000	1,425,000	1,500,000	1,500,000
Special milk program	100,000,000	102,000,000	100,000,000	100,000,000	100,000,000
School lunch program [9]	125,000,000	137,000,000	137,000,000	137,000,000	137,000,000
Limitation on use of sec. 32 funds:					
Food stamp program	(51,500,000)	(51,500,000)	(40,000,000)	(51,500,000)	(45,000,000)
Transfer to Commodity Credit Corporation			(25,000,000)		
Total, Agricultural Marketing Service	267,322,170	284,930,000	275,486,000	283,014,100	280,998,975
Foreign Agricultural Service:					
Salaries and expenses [10]	17,135,270	19,039,000	18,505,000	19,039,000	18,699,500
Salaries and expenses (special foreign currency program)	3,994,000				
Total, Foreign Agricultural Service)	21,129,270	19,039,000	18,505,000	19,039,000	18,699,500
Commodity Exchange Authority	1,060,950	1,095,000	1,093,000	1,095,000	1,095,000
Agricultural Stabilization and Conservation Service:					
Expenses, Agricultural Stabilization and Conservation Service [11]	95,423,000	114,944,000	105,737,000	107,091,400	106,549,500
Sugar Act program	77,650,000	80,000,000	78,000,000	78,000,000	78,000,000
Agricultural conservation program [12]	212,900,000	220,000,000	215,000,000	215,000,000	215,000,000
Advance authorization	(250,000,000)	(150,000,000)	(250,000,000)	(250,000,000)	(250,000,000)
Conservation reserve program [13]	304,000,000	294,000,000	294,000,000	294,000,000	294,000,000
Land-use adjustment program [13]	2,000,000	19,000,000	10,000,000	12,150,000	11,350,000
Total, Agricultural Stabilization and Conservation Service	691,973,000	727,944,000	702,737,000	706,241,400	704,899,500
Office of Rural Areas Development	87,850	134,000	120,000	120,000	120,000
Office of the General Counsel	3,854,600	3,987,000	3,953,000	3,987,000	3,973,500

See footnotes at end of table.

Comparative statement of appropriations for 1963 and estimates for 1964, and amounts recommended in bill for 1964, and conference allowances—Continued

TITLE I—GENERAL ACTIVITIES

Agency or item	Total appropriations and loan authorizations, 1963	Budget estimates, 1964	House bill, 1964	Senate bill, 1964	Conference allowance, 1964
Office of Information	$1,662,220	$1,684,000	$1,684,000	$1,684,000	$1,684,000
National Agricultural Library:					
Salaries and expenses	1,185,320	1,695,000	1,420,000	1,426,140	1,426,140
Library facilities		450,000	450,000	450,000	450,000
Total, National Agricultural Library	1,185,320	2,145,000	1,870,000	1,876,140	1,876,140
General administration [14]	3,397,000	3,975,000	3,735,000	3,760,550	3,750,000
Total, title I, general activities	1,497,859,660	1,582,417,000	1,530,934,000	1,564,207,340	1,548,973,315

TITLE II—CREDIT AGENCIES

Rural Electrification Administration:					
Electrification loans:					
Direct authorization	($300,000,000)	($350,000,000)	($275,000,000)	($275,000,000)	($275,000,000)
Contingency authorization	[15] (100,000,000)	(75,000,000)	(150,000,000)	(150,000,000)	(150,000,000)
Total	(400,000,000)	[16] (425,000,000)	(425,000,000)	(425,000,000)	(425,000,000)
Telephone loans:					
Direct authorization	(80,000,000)	(70,000,000)	(70,000,000)	(70,000,000)	(70,000,000)
Total	(80,000,000)	(70,000,000)	(70,000,000)	(70,000,000)	(70,000,000)
Total, loan authorizations	(480,000,000)	(495,000,000)	(495,000,000)	(495,000,000)	(495,000,000)
Salaries and expenses	10,442,200	11,344,000	11,162,000	11,287,000	11,247,000
Total, Rural Electrification Administration	10,442,200	11,344,000	11,162,000	11,287,000	11,247,000
Farmers Home Administration:					
Direct loan account:					
Real estate loans	(50,000,000)	(60,000,000)	(60,000,000)	(60,000,000)	(60,000,000)
Operating loans [17]	(290,000,000)	(300,000,000)	(300,000,000)	(300,000,000)	(300,000,000)
Total, direct loan account	(340,000,000)	(360,000,000)	(360,000,000)	(360,000,000)	(360,000,000)
Rural housing loans (authorization) [18]				(25,000,000)	25,000,000
Rural renewal		2,350,000	1,000,000	1,350,000	1,200,000
Rural housing for the elderly revolving fund	1,000,000	5,000,000	2,000,000	3,500,000	3,500,000
Salaries and expenses [19]	35,778,900	39,367,000	38,367,000	[19] 39,367,000	[19] 38,925,900
Total. Farmers Home Administration	36,778,900	46,717,000	41,367,000	44,217,000	68,625,900
Total, title II, credit agencies:					
Loan authorizations	(820,000,000)	(855,000,000)	(855,000,000)	(855,000,000)	(855,000,000)
Appropriations	47,221,100	58,061,000	52,529,000	55,504,000	79,872,900

TITLE III—CORPORATIONS

Federal Crop Insurance Corporation:					
Operating and administrative expenses	$6,799,000	$7,210,000	$6,950,000	$7,210,000	$7,080,000
Federal Crop Insurance Corporation Fund (operating expenses payable from premium income)	(3,265,250)	(3,480,000)	(3,530,000)	(3,480,000)	(3,505,000)
Total, Federal Crop Insurance Corporation	6,799,000	7,210,000	6,950,000	7,210,000	7,080,000
Commodity Credit Corporation:					
Reimbursement for net realized losses	2,278,455,000	2,799,400,000	2,500,000,000	2,699,400,000	2,699,400,000
Reimbursement for special milk program	92,243,150				
Administrative expense limitation	(43,188,500)	(41,650,000)	(41,650,000)	(41,650,000)	(41,650,000)
Total, Commodity Credit Corporation	2,370,698,150	2,799,400,000	2,500,000,000	2,699,400,000	2,699,400,000
Total, title III, corporations	2,377,497,150	2,806,610,000	2,506,950,000	2,706,610,000	2,706,480,000

TITLE IV—FOREIGN ASSISTANCE PROGRAMS

Public Law 480:					
Sales for foreign currencies	$1,588,804,000	$1,452,000,000	$1,452,000,000	$1,252,000,000	$1,452,000,000
Emergency famine relief	250,000,000	215,451,000	215,451,000	215,451,000	215,451,000
Long-term supply contracts	40,000,000	79,000,000	52,515,000	79,000,000	52,515,000
Total, Public Law 480	1,878,804,000	1,746,451,000	1,719,966,000	1,546,451,000	1,719,966,000
International Wheat Agreement	81,218,000	92,356,000	86,218,000	92,356,000	86,218,000
Bartered materials for supplemental stockpile	125,000,000	82,860,000	82,860,000	82,860,000	82,860,000
Total, title IV, foreign assistance programs	2,085,022,000	1,921,667,000	1,889,044,000	1,721,667,000	1,889,044,000

TITLE V—RELATED AGENCIES

Farm Credit Administration: Administrative expense limitation	($2,631,500)	($2,785,000)	($2,785,000)	($2,785,000)	($2,785,000)
Total, title V, related agencies	(2,631,500)	(2,785,000)	(2,785,000)	(2,785,000)	(2,785,000)

See footnotes at end of table.

Comparative statement of appropriations for 1963 and estimates for 1964, and amounts recommended in bill for 1964, and conference allowances—Continued

SUMMARY BY TITLES I-V

Agency or item	Total appropriations and loan authorizations, 1963	Budget estimates, 1964	House bill, 1964	Senate bill, 1964	Conference allowance, 1964
Appropriations:					
Title I, general activities	$1,497,859,660	$1,582,417,000	$1,530,934,000	$1,564,207,340	$1,548,973,315
Title II, credit agencies	47,221,100	58,061,000	52,529,000	55,504,000	79,872,900
Title III, corporations	2,377,497,150	2,806,610,000	2,506,950,000	2,706,610,000	2,706,480,000
Title IV, foreign assistance programs	2,085,022,000	1,921,667,000	1,889,044,000	1,721,667,000	1,889,044,000
Title V, related agencies	(2,631,500)	(2,785,000)	(2,785,000)	(2,785,000)	(2,785,000)
Total appropriations in bill	6,007,599,910	6,368,755,000	5,979,457,000	6,047,988,340	6,224,370,215

[1] Excludes "Marketing research" and "Construction of facilities," Agricultural Marketing Service, which were merged by the House under "Salaries and expenses," Agricultural Research Service. The Department recommended appropriation of these items in the Agricultural Marketing Service.

[2] Includes contingency funds of $1,500,000 for use to the extent necessary to meet emergency outbreaks of insects and plant diseases.

[3] In addition, a reappropriation of $1,000,000 of prior-year funds for work at field stations is authorized.

[4] Reflects transfers between subappropriations for postal costs as follows: From "Payments to States and Puerto Rico," $316,500; to "Penalty mail," $311,250; and to "Federal Extension Service," $5,250.

[5] In addition, prior-year balances available.

[6] Includes funds for "Marketing research" and "Construction of facilities," Agricultural Marketing Service, which were merged by the House under "Salaries and expenses," Agricultural Research Service.

[7] Includes $1,600,000 estimated under "Construction of facilities," merged by the House under "Salaries and expenses," Agricultural Research Service, and merged herein under this head.

[8] Estimate considered under the item "Marketing research and service."

[9] In addition, a transfer of $45,000,000 from sec. 32 funds for purchase of agricultural commodities for distribution to schools is authorized. Also, the 1964 budget estimates provided, and the House and Senate bills deleted, language proposing the use of $2,000,000 for special assistance to needy schools.

[10] In addition, a transfer of $3,117,000 from sec. 32 funds is authorized.

[11] In addition, the 1963 appropriation act provided that $81,379,500 may be transferred from the Commodity Credit Corporation fund; the 1964 budget estimates propose, and the House and Senate bills allow, the transfer of $94,885,000 from the Commodity Credit Corporation fund including not to exceed $40,051,000 from the limitation on CCC administrative expenses.

[12] Advance authorization for the 1964 program is proposed in the budget estimates at $150,000,000, compared with $250,000,000 approved for the 1963 program. The House and Senate bills provide $250,000,000 for the 1964 program authorization.

[13] In addition, prior-year balances available.

[14] In addition, the 1963 appropriation act provided that not to exceed $225,000 may be transferred from other appropriations available to the Department.

[15] 1963 contingency authorization available for both electrification and telephone loans, in 1964 contingency for electric loans only.

[16] Legislation will be proposed for the establishment of a "Rural Electrification Administration loan account" which will reflect the net cost of loan programs in relation to receipts on loans previously made.

[17] Includes $50,000,000 contingency authorization, not estimated for 1964, but continued in the bill.

[18] In addition, an estimated $150,000,000 is available from prior authorizations, Senate bill provided increased borrowing authorization, conference bill provides direct appropriation.

[19] In addition, a transfer of not to exceed $500,000 of the funds available to the Farmers Home Administration for temporary field employment is authorized.

FOREIGN AID AND RELATED AGENCIES APPROPRIATIONS, 1964

Mr. MANSFIELD. Mr. President, if I may have the attention of the Senate, I should like at this time to yield briefly to the distinguished senior Senator from Rhode Island [Mr. PASTORE], who has an announcement to make as to the future plans with respect to the foreign aid conference.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. PASTORE. Mr. President, I surmise that Senators have already heard that the House, by a vote of 136 to 141, voted to recommit to conference the foreign aid bill. A new conference has been asked for, and the conferees are meeting at 10 o'clock. The House is in adjournment until 12 o'clock. I understand that the distinguished majority leader intends either to recess or adjourn until 12 o'clock noon. That is his decision to make.

I assure Members of the Senate that we will sit in conference and listen to what the House Members have to say.

Mr. MANSFIELD. Mr. President, I express the hope that Senators who have remained in the city of Washington will remain in the Chamber throughout the day, until a decision, if at all possible, is reached on this question. It is my intention to dispatch telegrams to Senators who are not too far distant and who are absent because of official business, illness, or other reasons, to return to the city.

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

Mr. MANSFIELD. I yield.

Mr. MORSE. I understand that if the foreign aid bill comes back before the Senate, the majority leader contemplates calling for a quorum.

Mr. MANSFIELD. I do not intend to call for a quorum, but I understand other Senators do.

Mr. MORSE. I shall, because this bill is fundamental to many things involving the welfare of this country. In this highly controversial matter—whereas the agriculture appropriation conference report was not such—the American people are entitled to have Members of the Senate present, and I shall ask for a live quorum.

Mr. MANSFIELD. I hope Senators will heed that statement.

Mr. RUSSELL. Mr. President, I wonder if it has been determined whether any Senator will request a yea-and-nay vote on the new conference report on the foreign aid bill in the event the conference reaches agreement.

Mr. MANSFIELD. I know of none.

Mr. MORSE. I did not hear the inquiry.

Mr. MANSFIELD. The Senator from Georgia raised the question whether any Senator had indicated he wished to ask for a yea-and-nay vote in the event the conference report was agreed to.

Mr. MORSE. I shall ask for one. I think Senators should stand up and be counted.

Mr. MANSFIELD. I hope Senators will heed that statement.

ORDER FOR ADJOURNMENT TO 12 O'CLOCK NOON TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns this morning, it adjourn to meet at 12 o'clock noon today.

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

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

TEMPORARY SUSPENSION OF RESTRICTIONS ON MARKETING OF DOMESTICALLY PRODUCED SUGAR UNDER SUGAR ACT OF 1948

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to suspend during the calendar year 1964, restrictions on marketing of domestically produced sugar under the Sugar Act of 1948, as amended (with an accompanying paper); to the Committee on Finance.

REPORT ON UNNECESSARY COSTS INCURRED FOR TEMPORARY STORAGE OF HOUSEHOLD GOODS FOR MILITARY PERSONNEL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on unnecessary costs incurred for temporary storage of household goods for military personnel, Department of Defense, dated December 1963 (with an accompanying report); to the Committee on Government Operations.

PETITION

The PRESIDING OFFICER laid before the Senate a resolution adopted by the Gloucester City, N.J., Lions Club, favoring the establishment of the birthday of the late President John F. Kennedy as a national holiday, which was referred to the Committee on the Judiciary.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

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

Three postmaster nominations.

ADDITIONAL BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. BAYH:

S. 2412. A bill for the relief of Dr. Lutz Adolf Kiesow, his wife, Ursula Elfriede Kiesow, and their daughter, Marion Kiesow; to the Committee on the Judiciary.

By Mr. COOPER (for himself, Mr. KEATING, and Mr. JAVITS):

S. 2413. A bill for the relief of Nora Isabella Samuelli; and

S. 2414. A bill for the relief of Nora Isabella Samuelli; to the Committee on the Judiciary.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendment of the Senate to the joint resolution (H.J. Res. 875) making supplemental appropriations for the fiscal year ending June 30, 1964, for certain activities of the Department of Health, Education, and Welfare related to mental retardation, and for other purposes.

The message communicated to the Senate the intelligence of the death of Hon. WILLIAM J. GREEN, JR., late a Representative from the State of Pennsylvania, and transmitted the resolutions of the House thereon.

NATIONAL ENQUIRER RETRACTS FALSE DIRKSEN STORY

Mr. DIRKSEN. Mr. President, in its issue of October 13, 1963, the National Enquirer, a weekly publication in New York with a nationwide circulation, published a completely false and libelous story, which I set forth at this point in my remarks.

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

J.F.K. SWAPS FAVORS WITH DIRKSEN

WASHINGTON, D.C.—The White House is now convinced that it pays off to help the nephew of a politically powerful Senator collect the debts owed to him by a foreign government.

President Kennedy personally interceded with Haiti's President Francois Duvalier to help a nephew of Senate Minority Leader EVERETT DIRKSEN, Republican, of Illinois, collect $96,000 that the Haitian Government owed him, by threatening to cut off diplomatic relations.

In exchange, DIRKSEN came out at the strategic moment in favor of President Kennedy's test ban treaty—to the surprise of both Democrats and Republicans in the Senate. It was DIRKSEN's support for the treaty that broke the back of the opposition and left only Senator BARRY GOLDWATER, Republican, of Arizona, among the Republican leaders still opposing the treaty.

Until President Kennedy threw his full weight behind collecting the bill owed to DIRKSEN's nephew, President Duvalier had flatly refused to even recognize the claim. J.F.K.'s move brought quick action.

Mr. DIRKSEN. Mr. President, I have no time to pursue libelous statements or threaten suit for libelous attacks, and have always gone on the theory that if a statement about me is false, malicious, and damaging, and that can be established to the satisfaction of the publisher, such a publisher, if he is an honorable person, will make retraction and apologize.

I had this article brought to the attention of the publishers in New York, and they have agreed to publish a retraction.

That retraction is set forth as follows in the January 5, 1963, issue of the National Enquirer, and speaks for itself.

I only emphasize what the retraction says, and that is that the story was absolutely false and that the publication does apologize.

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

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

INVESTIGATION UNCOVERS INACCURATE INFORMATION

(By John Henshaw)

WASHINGTON, D.C.—This column sincerely regrets having printed an inaccurate story which reflected on the integrity of Senator EVERETT DIRKSEN, Republican, of Illinois. It was erroneously stated that President Kennedy had threatened to cut off diplomatic relations with Haiti as a favor to Senator DIRKSEN to help collect a $96,000 debt the Government of Haiti owed the Senator's nephew. Later investigation has shown this story to be false. We, therefore, wish to retract the story printed on October 13, 1963, and apologize to Senator DIRKSEN for its publication.

STATEMENT BY THE JOINT SENATE-HOUSE REPUBLICAN LEADERSHIP

Mr. DIRKSEN. Mr. President, the Members of the joint Senate-House Republican leadership have, this afternoon, released to the press a statement which goes far toward placing the efforts of the 88th Congress, 1st session, in proper focus.

I ask unanimous consent to have the statement printed in the RECORD.

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

STATEMENT BY THE JOINT SENATE-HOUSE REPUBLICAN LEADERSHIP (SENATOR DIRKSEN, SENATOR KUCHEL, SENATOR HICKENLOOPER, SENATOR SALTONSTALL, SENATOR MORTON, REPRESENTATIVE HALLECK, REPRESENTATIVE ARENDS, REPRESENTATIVE BYRNES, REPRESENTATIVE FORD, REPRESENTATIVE BROWN, REPRESENTATIVE WILSON)

On February 8, 1963, the joint Senate-House Republican leadership, with all 11 leaders signing, issued its initial statement on the new legislative year. After examining the economic recommendations of the Kennedy administration, which included a proposal for a $10 billion tax cut, a $4.5 billion increase in Federal spending, and a planned $12 billion deficit, the joint leadership declared:

"The Republican goal in this Congress will be a reduction in Federal spending which can lead to a reasonable tax cut. It can be done, because we have done it. The only two major tax cuts in the last 30 years were enacted by Republican Congresses, and both times we cut spending substantially.

"We suggest to the President that full employment is much more likely by this historically sound method, than by deficit financing, which has never achieved full employment yet. Despite the fact we are outnumbered 2 to 1 in the Senate and 3 to 2 in the House, we shall strive for this sound objective in the conviction that the unemployed are only being duped by the administration's proposals.

"The Government can help solve unemployment by encouraging industry and investment capital to promote expansion and new ventures. It can help by convincing workers, consumers, and small business that inflation is not ahead. Chronic Government deficits will never stimulate American ingenuity, build confidence, or create jobs."

On February 28, the joint Senate-House Republican leadership approved an announcement by Mr. HALLECK that we had taken three steps to encourage a reduction in spending, so a tax cut would be possible.

"1. Our members of the House Appropriations Committee have set up a task force headed by Representative FRANK BOW, of Ohio, to propose cuts in Mr. Kennedy's all-time high budget.

"2. Former President Eisenhower's Budget Director, Maurice Stans, has joined the task force as an adviser.

"3. Republican members of the Senate Appropriations Committee have met with Mr. Stans and are being kept advised of the preliminary studies.

"This is not going to be a partisan effort. Many Democratic Members of Congress are just as disturbed as we are, and so are millions of Americans."

Our plan was widely ridiculed, the President proclaimed his budget "hard" and uncuttable, and the administration launched a counterattack filling 33 pages of the CONGRESSIONAL RECORD with lists of projects, programs and Federal operations and Government offices that would have to shut down if we Republicans pursued our objective.

(NOTE.—These lists were produced by the White House and distributed to the press by the Democratic National Committee.)

In addition, our task force members were challenged repeatedly to make public their "worksheets" showing exactly where we proposed to cut. The challenges were steadfastly refused because we knew that every pressure that a hostile bureaucracy could exert would be brought on Members of Congress to force them to vote against reductions. The bureaucrats, even without access to our worksheets, lived up to form.

Throughout the long months of labor on the appropriations bills, the pressures exerted on the Congress by officials of the executive branch to restore cuts were, as expected, enormous. The Post Office Department threatened to curtail mail deliveries. Defense and other departments kept up a steady drumfire of protests. Even contractors to the Government were enlisted to bring pressure on Congress. Only the taxpaying public, which polls showed as believing a reduction in spending should accompany a tax cut, seemed to approve.

To their everlasting credit, our Republican Members worked tirelessly, without flinching and without limelight or fanfare, to cut spending and waste.

To their everlasting credit, a substantial number of Democrats in both the House and

Senate joined in the effort which, because of the heavy Democratic majorities in both branches, could not be successful without them. It was truly a bipartisan effort but we take satisfaction in having initiated it and having overwhelmingly supported it.

Here are the amazing results which were achieved:

Appropriation bill	Budget request	Finally approved by Congress	Net reduction
Interior	$998,009,000	$952,456,500	−$45,552,500
Treasury, Post Office	6,146,842,000	6,045,466,000	−101,376,000
Labor, Health, Education, and Welfare	5,759,489,000	5,471,087,500	−288,401,500
Agriculture	6,368,755,000	6,224,370,215	−144,384,785
Legislative	182,218,450	168,293,069	−13,925,381
State, Justice, etc	2,159,891,900	1,820,093,000	−339,798,900
Defense	49,014,237,000	47,220,010,000	−1,794,227,000
District of Columbia	52,868,000	40,368,000	−12,500,000
Independent offices	14,658,588,000	13,224,518,050	−1,434,069,950
Military construction	1,966,400,000	1,585,880,000	−380,520,000
Public works	4,561,957,000	4,406,272,700	−155,684,300
Foreign aid:			
Title I	4,525,325,000	3,000,000,000	−1,525,325,000
Titles II, III, IV, V	349,075,330	298,705,607	−50,369,723
Total	96,743,655,680	90,457,520,641	−6,286,135,039

Beyond any doubt this congressional reduction of $6,286,135,039 in appropriations is the major achievement of the legislative branch during this long year, in fact, in any recent year. If the Johnson administration's budget for next year contains the economies promised by our new President, this historic action by the Congress can set the stage for a tax cut in 1964.

This $6,286,135,039 reduction in appropriations is the second largest cut in history and far exceeds any previous effort except for the action of a Republican President, Dwight D. Eisenhower, and the Republican 83d Congress in cutting President Truman's budget requests for 1953–54 by $14 billion.

We, the members of the joint Senate-House Republican leadership, believe the Republicans in this Congress have again set an example and a pattern for the future in promoting sound fiscal policy. If any hardships have resulted, they are not in evidence. On the other hand, it now appears—assuming an economy budget next year—that Congress, in good faith, can enact a tax reduction in 1964, and the American people, in good conscience, can accept it.

Because of its success this year, we hope to continue our Republican task force operation in 1964. It has proven it can help eliminate waste, fat, and extravagance in even a "hard" budget.

ADDITIONAL COSPONSORS

Mr. KUCHEL. Mr. President, I ask unanimous consent to have added, at the next printing of S. 1275, the names of the Senator from California [Mr. ENGLE] and the Senator from Idaho [Mr. CHURCH].

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

SALES OF FARM COMMODITIES TO COMMUNIST COUNTRIES

Mr. MILLER. Mr. President, at approximately 5 o'clock this morning the House voted, by a vote of 141 to 136, to recommit the conference report on the foreign aid appropriations bill to the conference committee, with instructions to the House members to refuse to concur in the amendment by the Senate deleting from the bill the provision whereby the Export-Import Bank would not be permitted to underwrite the credit of Communist countries in connection with the purchase by those countries of any products from private exporters of the United States.

This action by the House was taken in the face of a last-minute speech by the Speaker of the House himself requesting that the House not recommit the bill.

The House made this decision following debate which clearly defined the issue. The conference committee had proposed to water down the provision to which I have referred by language to the effect that the Export-Import Bank could not extend such credit, and then providing that the President of the United States could ignore this prohibition if he determined that it would be in the national interest to do so. Only yesterday the President advised the majority leader of the Senate as follows:

> In my judgment sales of wheat and other farm commodities (to Communist countries) on reasonable terms are now plainly in the national interest of the United States.

I have quoted from the President's letter which is reproduced at page 25144 of the CONGRESSIONAL RECORD for December 19.

Plainly, the House by its vote does not believe that such sales on reasonable credit terms, with the credit guaranteed by the American taxpayer through the Export-Import Bank, are in the national interest. It is possible that the administration may be able to recall a few of its absentees to reverse the action of the House. But even should it be able to do so, it is evident that substantial doubt exists over whether or not the American taxpayer should underwrite the credit of Communist countries in connection with such sales. Decisions affecting the national interest should command greater support.

In my humble opinion, this controversy is both unfortunate and unnecessary. It need not have arisen at all. Only yesterday, I pointed out to my colleagues that Soviet spokesmen were recently quoted as saying that Moscow was prepared to pay for the wheat in gold or hard currency anyway, because the Soviets would prefer to take advantage of a better price for cash or at least to avoid the payment of interest on credit terms to our bankers. It seems to me that this is sufficient answer to those who have suggested that adoption of such a prohibition as has been demanded by the House would endanger sales to Russia.

I ask unanimous consent that the portion of the article from the Washington Evening Star appearing on page 25136 of yesterday's RECORD be placed in the RECORD at this point in my remarks.

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

DEADLOCK SEEN ON U.S. WHEAT SALE TO RUSSIA

Negotiations for the sale of $250 million worth of wheat to the Soviets appear to be deadlocked.

State Department officials said yesterday they knew of no indication that talks have broken off between the Soviets and American grain dealers, but Sergei A. Borisov, head of the Soviet governmental wheat group, left the United States last Wednesday without giving any sign when he would return.

* * * * *

Senate defeat earlier this week of a bill by Senator MUNDT, Republican, of South Dakota, to prohibit the Export-Import Bank from guaranteeing commercial credit to finance the wheat deal left the Soviets unimpressed, diplomatic informants declared. They said Moscow was prepared to pay for the wheat in gold or hard currency anyway.

Mr. MILLER. Mr. President, this controversy has been aggravated by an incomprehensible insistence by the White House for action on this bill before adjournment. The Agency for International Development is operating under a continuing resolution whereby it can spend money at a rate of $3.9 billion per year; whereas under the bill, when passed it will be limited to a rate of $3 billion per year. Delay of this bill until after the Christmas holidays would, if anything, enable the Agency to spend more—not less—money. Still there was insistence that the bill be passed now. Why? Not one good reason has been advanced why this bill had to pass now instead of some 2 weeks from now, when we reconvene for the second session of this Congress.

This insistence has resulted in Members of the House and Senate, who saw fit to remain in Washington, staying here on Capitol Hill since 9 a.m. Friday morning. It is now 6:30 Saturday morning. Many of us have had no sleep since Thursday night, waiting around for the House to take action, and the House Members have been similarly inconvenienced while they waited for the conference committee and Rules Committee to take action. I find this treatment by the executive branch of the legislative branch to be most inconsiderate. If there was a good reason for it, that would be different. If this were the end of the second session of the Congress it would be necessary. But there is no good reason for it now. It is whimsical and unreasonable.

I say that this controversy is unfortunate, because it has produced needless friction between the two branches of the Government at a time when mutual trust, confidence, and respect between the two branches is needed to enable them to fulfill their grave responsibilities to the American people.

Members of the legislative branch are human beings—not automatons. Many of my colleagues are not young men, and this sort of treatment is dangerous to their physical well-being. They are willing to do all they are able to do in the service of their country—even when such demands on their energies are unnecessary. But it is not fair to them.

I hope it will not happen again.

Mr. MANSFIELD. Mr. President, I listened with interest to what the distinguished Senator from Iowa has just said, and if I ever heard anyone crying against a wall, this is it. I do not think we were inconvenienced. I think we are here to serve the people's interest, and I think we should be here as many hours as necessary. The executive branch in no way forced us to stay in session tonight, and it is not to blame in any way possible. What we do is our responsibility as Senators of the United States, and I for one do not intend to let anyone in the executive branch tell me, or tell this body, if I can help it, whether it should stay in session, because I feel we are independent, we are responsible, we are mature people, and what we do we do on our own.

So I would not join those at the wailing wall. I would not blame the executive branch for our actions, and I would say that, if need be, we will continue to act in this matter.

As far as the health of anyone in this body is concerned, I think my record in that regard shows that I am as solicitous of it as anyone else.

Mr. MILLER. Mr. President, I hope the distinguished majority leader heard what I had to say.

Mr. MANSFIELD. I did.

Mr. MILER. I hope he will recognize that not one word of what I had to say was directed at him.

Mr. MANSFIELD. I understand.

Mr. MILLER. Without revealing any confidences, the inconvenience to which we have been subjected—and it has been a great inconvenience to everyone—has not been of any making whatever of the majority leader of the Senate.

I repeat what I said. With all due deference to our great majority leader, I say that this situation is not good, and that it does not make for good relations between the two branches. I still would like to find out what the great importance is of passing the foreign aid bill now, especially when the rate of spending would be greater if the bill laid over for another 2 weeks instead of having the bill, which will total approximately $3 billion, passed now.

Mr. MANSFIELD. That is probably one of the reasons why the Senate should consider the bill.

I point out to the Senator that Congress has been in session for almost 12 months. It is up to us to face our responsibilities as they come along.

So far as inconveniencing anyone is concerned, I do not believe any Senator has been inconvenienced. We are paid by the people of the United States to look after their interests. We may disagree on legislation. However, so far as meeting tonight is concerned, I take full responsibility for it. I do not attribute any blame to the executive branch. It does not deserve it.

Mr. MILLER. I am not criticizing our leader at all. If anything, I praise him, because I think he has been attempting to avoid this situation. It is my understanding that he attempted to avoid it.

Many Members of Congress have left Washington. The fact is that many of them became sick and tired of the continued delay and great inconvenience and decided to go home. They decided to do so particularly when they could not see any good reason for disposing of this bill now. I do not know of any Member of Congress who would not have been present if he could have seen a good reason for action on the foreign aid bill appropriations bill at this time.

I believe the relationship between the two branches has been unnecessarily strained, as I said before. Not one word of criticism is leveled by me at the majority leader. I know he understands that. If anything, I praise him for attempting to avoid this unfortunate situation. However, I hope other parties involved will take appropriate action to see that the situation will not be repeated.

Mr. MANSFIELD. I appreciate the Senator's statements.

DEATH OF REPRESENTATIVE WILLIAM J. GREEN, JR., OF PENNSYLVANIA

The PRESIDING OFFICER. The Chair lays before the Senate a resolution from the House of Representatives, which will be stated.

The legislative clerk read the resolution (H. Res. 599), as follows:

Resolved, That the House has heard with profound sorrow of the death of the Honorable WILLIAM J. GREEN, JR., a Representative from the State of Pennsylvania.

Resolved, That a committee of 32 Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn until 12 o'clock noon today.

Mr. MANSFIELD. Mr. President, I submit a resolution, which I ask to have read, and for which I ask immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 239) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

The PRESIDING OFFICER. Under the second resolving clause, the Chair appoints the two Senators from Pennsylvania [Mr. CLARK and Mr. SCOTT] the committee on the part of the Senate to attend the funeral of the deceased Representative.

ADJOURNMENT TO 12 O'CLOCK NOON TODAY

Mr. MANSFIELD. Mr. President, I move, as a further mark of respect and honor to the memory of the late Representative WILLIAM J. GREEN, JR., of Pennsylvania, that the Senate adjourn, in accordance with the order previously entered, until 12 o'clock noon today.

The motion was unanimously agreed to; and (at 6 o'clock and 45 minutes a.m.), Saturday, December 21, 1963, the Senate adjourned, under the order previously entered, until 12 o'clock noon of the same day.

NOMINATION

Executive nomination received by the Senate December 20 (legislative day of December 18), 1963:

IN THE NAVY

Having designated, under the provisions of title 10, United States Code, section 5231, Rear Adm. John B. Colwell, U.S. Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him for appointment to the grade of vice admiral while so serving.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 20 (legislative day of December 18), 1963:

POSTMASTERS

CALIFORNIA

Marguerite M. Fanning, Burbank.

CONNECTICUT

Elizabeth N. Bojarski, Hanover.
James A. D'Amato, Morris.
Helen D. Whitaker, Suffield.

IDAHO

Eugene W. MacDonald, Coeur d'Alene.
Parlette W. Petersen, Rexburg.
Ella M. Dixon, Stites.

ILLINOIS

Glenn E. Jones, Bulpitt.

LOUISIANA

Earline F. Lowrey, Lisbon.

MINNESOTA

James F. Kuelbs, Gaylord.
Earl W. Rueckert, Grove City.
Edward W. Appel, Millville.
Alvin H. Groen, Murdock.

MISSISSIPPI

Lawrence C. Skipper, Jr., Gholson.
Lula L. Chatham, Rose Hill.

NEVADA

Susan I. Brizendine, Black Springs.
Charles L. Connor, Henderson.

OKLAHOMA

William L. Bond, Madill.
Charles B. Harjo, Sasakwa.
Betty J. Lozano, Wann.
Charles M. Horner, Welch.